

**In the Environment Court  
at Wellington  
I Mua I te Kōti Taiao  
Te Whanganui-a-Tara Rohe**

**ENV-**

**Under**

the Resource Management Act 1991  
(Act)

**In the Matter**

of an appeal under Clause 14(1),  
Schedule 1 of the Act

**Between**

**Wellington International Airport  
Limited**

Appellant

**And**

**Wellington City Council**

Respondent

**Notice of Appeal (Hearing Streams 1 - 5)  
by Wellington International Airport Ltd on  
a decision on the Proposed District Plan**

Dated: 20 May 2024

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**Amanda Dewar**

Barrister  
PO Box 7  
Christchurch 8140  
Email: amanda@amandadewar.com  
Phone: 021 2429175

**To:** The Registrar  
Environment Court  
Wellington

### **Notice of Appeal**

1. Wellington International Airport Limited (**WIAL**) appeals against parts of the decisions on Hearing Streams 1 - 5 (**HS 1-5**) of the Wellington City Council (**Respondent**) on the Proposed District Plan (**Proposed Plan or PDP**).
2. WIAL made a submission and further submissions on the Proposed Plan.
3. WIAL is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991 (**Act**).
4. WIAL received notice of the Respondent's decisions in relation to Hearing Streams 1 – 5 on 5 April 2024 (**Decisions**).
5. The parts of the Decisions that WIAL is appealing is:
  - (a) See attached **Annexure A** (1<sup>st</sup> Column) for the parts of the HS 1 - 5 Decisions WIAL is appealing (**Appealed Decisions**).

Note: the provisions referred to are those as shown in the Decisions version of the Proposed Plan notified on 5 April and not the online version unless otherwise specified.

### **Reasons for the Appeal**

#### *Background*

6. Wellington International Airport Limited is the owner and operator of the Wellington International Airport (**Wellington Airport or the Airport**).
7. Wellington International Airport is an important existing strategic asset to Wellington City and surrounding regions. It provides an important national and international transport link for the local, regional and international community and has a major influence on the regional economy. The Airport is a fundamental part of the social and economic wellbeing of the community.
8. Wellington Airport is one of the busiest airports in New Zealand, operating a mixture of scheduled domestic and international flights, corporate jets, general

aviation and helicopters. It is a gateway for millions of residents, visitors and business travellers every year, connecting the capital city to all parts of New Zealand, Australia, the Pacific and onwards, to the rest of the world. The Airport is also a generator of economic growth, providing significant direct business and employment opportunities within the Airport area as well as indirect economic benefits provided to the city and the wider Wellington region.

9. The Airport has been experiencing significant growth in the use of its facilities and infrastructure over recent years and is now operating near pre-COVID levels. This growth is predicted to continue reaching around 12 million passengers per annum over an approximately 20 year planning horizon.
10. The Airport operates on a constrained 110ha site in the residential suburb of Rongotai, within 8 kilometres of the centre of Wellington City. The Airport is bounded by Lyall Bay to the west and south and Evans Bay to the north of the runway. The Airport and its operations are directly affected by many of the Proposed Plan provisions.
11. Through this appeal WIAL wishes to ensure that the Proposed Plan appropriately recognises and provides for the Airport and its operations including in particular aircraft noise and is appropriately protected from reverse sensitivity effects.

#### *Specific Reasons*

12. See **attached Annexure A** (2<sup>nd</sup> Column) that sets out the specific reasons for the appeal.

#### *General Reasons*

13. The general reasons for WIAL's appeal are that the Appealed Decisions fail to appropriately or adequately recognise and provide for the Airport and its surrounds, including in respect of the matters described in Annexure A, in that the Appealed Decisions:
  - (a) do not sufficiently recognise or provide for the ongoing operation or development of Wellington Airport identified as a Regionally Significant Infrastructure in the DPD and higher order statutory planning documents;

- (b) impose undue constraints on the legitimate and necessary activities of the Airport;
- (c) do not adequately recognise the locational, functional and operational requirements of the Airport;
- (d) fail to achieve the functions of the Respondent under section 30 of the Act in respect of the integrated management of the effects of the use and development of land and physical resources;
- (e) fail to meet the requirements of section 32;
- (f) fail to meet the relevant higher order statutory documents in particular the NZCPS and the RPS;
- (g) fail to promote sustainable management of resources and will not achieve the purpose of the Act.

## **Relief Sought**

### *Specific Relief*

14. WIAL seeks the relief as set out in the 3<sup>rd</sup> Column of the **attached Annexure A**.

Note: the provisions referred to are generally those as shown in the Decisions version of the Proposed Plan.

15. Subject to the general relief set out in paragraphs 16 and 17 below:

### *General Relief*

16. That the Proposed Plan be amended in a similar or such other way as may be appropriate to:
- (a) address the matters raised in this Appeal;
  - (b) any other similar, consequential, alternative, or other relief as is necessary to address the issues raised in this Appeal or otherwise raised in WIAL's submission and further submissions.

**Attached Documents**

17. The following documents are **attached** to this notice:
- (a) Table of Appealed Provisions/ Matters, Specific Reasons for Appeal and Relief Sought (**Annexure A**);
  - (b) a copy of WIAL's submission (**Annexure B**);
  - (c) a copy of WIAL's further submissions (**Annexure C**);
  - (d) a list of the names and addresses of the persons to be served with a copy of this notice of appeal (**Annexure D**).

Dated this 20<sup>th</sup> day of May 2024



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**Amanda Dewar**

Counsel for Wellington International Airport Ltd

**Address for Service for the Appellant:**

Amanda Dewar  
Barrister  
PO Box 7  
Christchurch 8140

Email: [amanda@amandadewar.com](mailto:amanda@amandadewar.com)  
Phone: 021 242 9175

## **Advice to Recipients of Copy of Notice of Appeal**

### **How to become a Party to Proceedings**

You may be a party to the appeal if you made a submission or further submission on the matter of this appeal.

To become a party to the appeal, you must –

- (a) within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- (b) within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

### *Advice*

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch

<b>APPENDIX A</b>		
<b>PROVISION/ MATTER BEING APPEALED<sup>1</sup></b>	<b>SPECIFIC REASONS FOR APPEAL<sup>2</sup></b>	<b>RELIEF SOUGHT<sup>3</sup></b>
<p>Definition of '<b>Air Noise Overlay</b>' as follows:</p> <p>"means an area defined by planning maps to show land subject to development restrictions due to potential noise effects from Wellington International Airport. The Air Noise Overlay comprises:</p> <ul style="list-style-type: none"> <li>a. Inner Air Noise Overlay – being properties lying between the Airport and a modelled 65 dBA contour, fitted to property boundaries.</li> <li>b. Outer Air Noise Overlay – being properties lying between the 65 dBA contour and a modelled 60 dBA contour, fitted to property boundaries.</li> <li>c. <del>Air Noise Boundary – being a line shown on district plan maps used for controlling the emission of noise from aircraft operations at Wellington International Airport measured using rolling 90 day average 24 hour night weighted sound exposure in accordance with NZS 6805: 1992 Airport noise management and land use planning.</del> The location of the Air Noise Boundary is based on the modelled Ldn 65 dBA contour and therefore corresponds to the outer extent of the Inner Air Noise Overlay.</li> </ul>	<p>The Decisions definition does not refer to the Ldn noise metric which is required to ensure the correct noise metric is used in the context of the definition and the related District Plan provisions. As amended it is inconsistent with the National Planning Standards.</p> <p>The Decisions definition includes clauses a. and b. that refer to the Inner Air Noise Overlay and Outer Air Noise Overlay. There is potential for confusion by having additional overlays within an overall overlay.</p>	<p><b>Amend</b> the definition as follows:</p> <p><b>'Air Noise Overlays'</b></p> <p><i>"means <del>an</del> <u>the</u> area defined by planning maps to show land subject to development restrictions due to potential noise effects from Wellington International Airport. The Air Noise Overlays comprises:</i></p> <ul style="list-style-type: none"> <li>a. <i>Inner Air Noise Overlay – being properties lying between the Airport and a modelled 65 dBA <u>Ldn</u> contour, fitted to property boundaries.</i></li> <li>b. <i>Outer Air Noise Overlay – being properties lying between the 65 dBA <u>Ldn</u> contour and a modelled 60 dBA <u>Ldn</u> contour, fitted to property boundaries.</i></li> </ul> <p><i>Note: The Air Noise Overlays is <del>applied</del> <u>apply</u> to all parts of a property, regardless of whether the modelled contour affects less than the entire property."</i></p>

<sup>1</sup> Decisions Version of the WCC PDP

<sup>2</sup> In addition to general reasons

<sup>3</sup> Subject to general relief and without limiting the scope of relief sought in WIAL's original submission and further submissions

<p>Note: The Air Noise Overlay is applied to all parts of a property, regardless of whether the modelled contour affects less than the entire property.”</p>		
<p><b>Strategic Objective SCA-O1</b></p> <p><del>“Infrastructure is established, operated, maintained, and upgraded. The social, economic, cultural and environmental benefits of infrastructure are recognised by enabling its establishment, operation, maintenance and upgrading in Wellington City so that:</del></p> <ol style="list-style-type: none"> <li><del>1. The social, economic, cultural, and environmental benefits of this infrastructure are recognised;</del></li> <li><del>2. 1. The City is able to function safely, efficiently and effectively;</del></li> <li><del>3. 2.-The infrastructure network is resilient in the long term;</del></li> <li><del>4. 3.-Infrastructure, including renewable electricity generation facilities, contributes to the transition away from dependence on fossil fuels; and</del></li> <li><del>5. 4. Future growth and development is enabled supported and can be sufficiently serviced.”</del></li> </ol>	<p>WIAL supported the objective as publicly notified on the grounds that it is appropriate for the strategic objectives to recognise the significance and importance of regionally significant infrastructure.</p> <p>The Decisions SCA-O1 reduces that recognition and new clause 3 does not recognise that some infrastructure may not be able to contribute to the transition away from dependence on fossil fuels at all times</p>	<p><b>Retain</b> the publicly notified version of SCA-O1 as follows:</p> <p><i>Infrastructure is established, operated, maintained, and upgraded in Wellington City so that:</i></p> <ol style="list-style-type: none"> <li><i>1. The social, economic, cultural, and environmental benefits of this infrastructure are recognised;</i></li> <li><i>2. The City is able to function safely, efficiently and effectively;</i></li> <li><i>3. The infrastructure network is resilient in the long term; and</i></li> <li><i>4. Future growth and development is enabled and can be sufficiently serviced.</i></li> </ol>
<p><b>Strategic Objective SCA-O4</b></p> <p><del>“New R</del>regionally significant infrastructure is provided for in appropriate locations and the social, cultural, economic, and environmental benefits of this infrastructure are recognised and provided for.”</p>	<p>WIAL supported the objective as publicly notified on the grounds that it is appropriate for the strategic objectives to recognise the significance and importance of regionally significant infrastructure.</p> <p>The Decisions SCA-O4 reduces that recognition by not recognise existing Regionally significant infrastructure.</p>	<p><b>Retain</b> the publicly notified version of SCA-O4 as follows:</p> <p><i>Regionally significant infrastructure is provided for in appropriate locations and the social, cultural economic, and environmental benefits of this infrastructure are recognised and provided for.</i></p>



<p><b>Strategic Objective SCA-O6</b></p> <p><del>“Infrastructure operates efficiently and safely and is protected from incompatible development and activities that may create reverse sensitivity effects that would compromise its efficient and safe operation.”</del></p>	<p>WIAL supported the objective as publicly notified on the grounds that it is appropriate for the strategic objectives to recognise the significance and importance of regionally significant infrastructure.</p> <p>The Decisions SCA-O6 reduces that recognition by combining “incompatible development” with the concept of reverse sensitivity effects.</p>	<p><b>Retain</b> the publicly notified version of SCA-O6 as follows:</p> <p><i>Infrastructure operates efficiently and safely and is protected from incompatible development and activities that may create reverse sensitivity effects</i></p>
<p><b><u>SUB-P10 Subdivision within the Inner Air Noise Overlay</u></b></p> <p><u>Provide for subdivision within the Inner Air Noise Overlay where the potential future permitted density of noise sensitive activities will avoid adverse reverse sensitivity effects on Wellington International Airport.”</u></p>	<p>WIAL sought a new subdivision policy seeking to avoid subdivision within the Inner Air Noise Overlay and Outer Air Noise Overlay to address the potential for reverse sensitivity effects on the operations of Wellington International Airport.</p> <p>The Decisions SUB-P10 does not recognise the Outer Air Noise Overlay and does not sufficiently recognise the potential for reverse sensitivity effects in the Inner Air Noise Overlay by providing for subdivision as opposed to avoiding subdivision in these areas that would give rise to adverse reverse sensitivity effects on Wellington International Airport.</p>	<p><b>Delete and Replace</b> SUB-P10 as follows:</p> <p><u><i>Avoid subdivision within the Inner Air Noise Overlay or Outer Air Noise Overlay where the potential future permitted density of noise sensitive activities will give rise to adverse reverse sensitivity effects on Wellington International Airport.</i></u></p> <p><b>Or</b> in the alternative</p> <p><b>Delete and Replace</b> as follows::</p> <p><b><u>Subdivision within the Air Noise Overlays</u></b></p> <p><u><i>Discourage subdivision within the Air Noise Overlays unless the reverse sensitivity effects on Wellington International Airport can be appropriately managed.</i></u></p>
<p><b><u>EW-P12 Earthworks within coastal margins and riparian margins within the coastal environment inside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or City Centre Zone</u></b></p>	<p>The Decisions EW-P12 is opposed to the extent that it does not recognise or provide for the existing hard engineering structures within the coastal margin located between Lyall Bay and Moa Point. These seawall structures protect regionally significant infrastructure, including</p>	<p><b>Amend</b> the Policy as follows:</p> <p><b><i>EW-P12 Earthworks within coastal margins and riparian margins within the coastal environment inside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or City</i></b></p>

<p>Provide for earthworks within coastal margins and riparian margins within the coastal environment where located inside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or City Centre Zone; and</p> <p><del>Only allow for earthworks within coastal and riparian margins in the coastal environment located outside of the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or the City Centre Zone where:</del></p> <ol style="list-style-type: none"> <li>1. They are of a scale and for a purpose that is compatible with the natural character of the coastal or riparian margin concerned;</li> <li>2. They are undertaken in a manner that avoids significant adverse effects and avoids, remedies or mitigates any other adverse effects on the natural character of the coastal environment and the affected margins;</li> <li>3. There is a functional need or operational need for the earthworks to be undertaken within a coastal or riparian margin;</li> <li>4. They would not significantly increase the flooding risk, when compared to the existing situation, including by compromising the effectiveness of community scale natural hazard mitigation structures; and</li> <li>5. They incorporate measures to restore and rehabilitate disturbed areas.</li> </ol>	<p>Wellington City wastewater network and Wellington International Airport, as well as Moea Point Road, from the effects of coastal erosion.</p>	<p><b><u>Centre Zone and within the Natural Open Space Zone between Lyall Bay and Moea Point</u></b></p> <p><i>Provide for earthworks within coastal margins and riparian margins within the coastal environment where located inside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or City Centre Zone; and <u>within the Natural Open Space Zone between Lyall Bay and Moea Point</u></i></p> <ol style="list-style-type: none"> <li>1. <i>They are of a scale and for a purpose that is compatible with the natural character of the coastal or riparian margin concerned;</i></li> <li>2. <i>They are undertaken in a manner that avoids significant adverse effects and avoids, remedies or mitigates any other adverse effects on the natural character of the coastal environment and the affected margins;</i></li> <li>3. <i>There is a functional need or operational need for the earthworks to be undertaken within a coastal or riparian margin;</i></li> <li>4. <i>They would not significantly increase the flooding risk, when compared to the existing situation, including by compromising the effectiveness of community scale natural hazard mitigation structures; and</i></li> <li>5. <i>They incorporate measures to restore and rehabilitate disturbed areas.</i></li> </ol>
<p><b>EW- R8 Earthworks within a significant natural area</b></p> <p><b>3 <u>Activity Status: Non-complying</u></b></p>	<p>The Decisions EW-R8 new clause 3 is inappropriate and inefficient where:</p> <ul style="list-style-type: none"> <li>• any resource consent application regardless of the level of effects (negative or positive)</li> </ul>	<p><b>Delete</b> Rule EW-R8 Clause 3</p>

<p><u>Where:</u></p> <p>a. <u>The Significant Natural Area includes matters identified in Policy 11(a) of the New Zealand Coastal Policy Statement 2010 where located within the Coastal Environment.</u></p> <p><u>Section 88 requirements:</u></p> <p><u>Applications for activities within an identified significant natural area must provide, in addition to the standard information requirements, an ecological assessment in accordance with APP15:</u></p> <p><u>1. Identifying the indigenous biodiversity values and potential impacts from the proposal; and</u></p> <p><u>2. Demonstrating that ECO-P5 has first been met, and the effects management hierarchy at ECO-P2 has been applied to other adverse effects.</u></p>	<p>would fall to be considered as a non complying activity; and</p> <ul style="list-style-type: none"> <li>• earthworks within Significant Natural Areas are provided for within clauses 1. and 2. of the Rule and for SNAs within the coastal environment through Rules EW-R10 and EW-R11.</li> </ul>	
<p><b>EW-R11 Earthworks within coastal or riparian margins within the coastal environment</b></p> <p>Port Zone, City Centre zone, Stadium Zone, Waterfront Zone,</p> <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with <a href="#">EW-R6</a></p> <p>Port Zone, City Centre zone, Stadium Zone, Waterfront Zone</p>	<p>The Decisions EW-R11 is opposed to the extent that it does not recognise or provide for the existing hard engineering structures within the coastal environment located between Lyall Bay and Moa Point. These seawall structures protect regionally significant infrastructure, including Wellington City's wastewater network and Wellington International Airport, as well as Moa Point Road, from the effects of coastal erosion.</p> <p>In addition the permitted rule no longer makes sense in that the trigger for permitted activity status to restricted discretionary status is EW- R6</p>	<p><b>Delete</b> EW-R11</p> <p><b>Or</b> in the alternative</p> <p><b>Amend</b> the rule as follows:</p> <p><b><i>EW-R11 Earthworks within coastal or riparian margins within the coastal environment</i></b></p> <p><i>Port Zone, City Centre zone, Stadium Zone, Waterfront Zone, and within the Natural Open Space Zone between Lyall Bay and Moa Point</i></p>

<p>2. Activity status: <b>Restricted Discretionary</b></p> <p>Where:</p> <p>a. Compliance with any of the requirements of <a href="#">EW-R11.1</a> <del>cannot be</del> <u>is not</u> achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>1. The matters in <a href="#">EW-P12</a> and <a href="#">CE-P5</a>; and</li> <li>2. The matters in PA-P1, PA-P2 and PA-P3</li> </ol>	<p>which is now a rule relating to earthworks within the root protection area of notable trees and provided for as a discretionary activity in all zones.</p> <p>It is noted that the online version of the District Plan now refers to EW-P13 which does not reflect the Council's decision and this policy concerns areas outside of the Port Zone, City Centre zone, Stadium Zone, Waterfront Zone.</p>	<ol style="list-style-type: none"> <li>1. Activity status: <i>Permitted</i></li> </ol> <p>Where:</p> <p>a. Compliance is achieved with <del>EW-R6</del> <u>R4</u></p> <p><i>Port Zone, City Centre zone, Stadium Zone, Waterfront Zone and within the Natural Open Space Zone between Lyall Bay and Moa Point</i></p> <ol style="list-style-type: none"> <li>2. Activity status: <i>Restricted Discretionary</i></li> </ol> <p>Where:</p> <p>a. Compliance with any of the requirements of EW-R11.1 is not achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>1. The matters in EW-P12 and CE-P5; and</li> <li>2. The matters in PA-P1, PA-P2 and PA-P3</li> </ol>
<p>Decision to reject WIAL's submission to insert a new noise objective as follows:</p> <p><b><u>NOISE-O3: Reverse sensitivity effects on Wellington International Airport</u></b></p> <p><u>Wellington International Airport is protected from reverse sensitivity effects.</u></p>	<p>The Decisions Noise-O1 and Noise-O2 do not sufficiently protect the Airport's operations from reverse sensitivity effects recognising the particular characteristics of aircraft noise and appropriately manage the effects of Airport noise.</p>	<p><b>Insert</b> new objective as follows:</p> <p><b><u>NOISE-O3: Reverse sensitivity effects on Wellington International Airport</u></b></p> <p><u>Wellington International Airport is protected from reverse sensitivity effects.</u></p>

<p><b>NOISE-P3 Higher noise areas</b></p> <p>Allow for higher noise levels to be generated within:</p> <ol style="list-style-type: none"> <li>1. <u>High Noise Areas;</u></li> <li>2. <u>Moderate Noise Areas;</u></li> <li>3. General Rural Zone;</li> <li>4. <del>Commercial and Mixed Use Zones;</del></li> <li>5. Hospital Zone;</li> <li>6. Tertiary Education Zone;</li> <li>7. Stadium Zone; <u>and</u></li> <li>8. Port Zone.;</li> <li>9. <del>Airport Zone and associated airspace;</del></li> <li>10. <del>City Centre Zone;</del></li> <li>11. <del>Mixed Use Zone;</del></li> <li>12. <del>General Industrial Zone; and</del></li> <li>11. <del>State Highway and Railway networks.</del></li> </ol> <p><b><u>HIGH NOISE AREA</u></b></p> <p><u>means land and habitable rooms of buildings located within:</u></p> <ol style="list-style-type: none"> <li>a. <u>40m of a State Highway designation;</u></li> <li>b. <u>40m of a Railway designation;</u></li> <li>c. <u>Courtenay Place Noise Area;</u></li> <li>d. <u>General Industrial Zone;</u></li> <li>e. <u>Inner Air Noise Overlay.</u></li> </ol> <p><u>With respect to railway and state highway designations, distance to the nearest habitable</u></p>	<p>The Decisions Noise-P3 is opposed to the extent that it has removed reference to the Airport Zone which provides for land use activities that generate noise as distinct from aircraft noise in airspace above High Noise Areas and Moderate Noise Areas.</p>	<p><b>Amend</b> Noise-P3 to expressly refer to the “Airport Zone”.</p>
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<p><u>room of a building is measured to the closest point of the designation.</u></p> <p><b><u>MODERATE NOISE AREA</u></b></p> <p><u>means land and habitable rooms of buildings located within:</u></p> <p><u>a. The area between 40m and 100m of a State Highway designation with a posted speed limit or maximum variable speed limit greater than &gt;70 km/hour;</u></p> <p><u>b. The area between 40m and 100m of a Railway designation;</u></p> <p><u>c. City Centre Zone;</u></p> <p><u>d. Mixed Use Zone;</u></p> <p><u>e. Commercial Zone;</u></p> <p><u>f. Neighbourhood Centre Zone;</u></p> <p><u>g. Local Centre Zone;</u></p> <p><u>h. Metropolitan Centre Zone;</u></p> <p><u>i. Waterfront Zone;</u></p> <p><u>j. Outer Port Noise Overlay;</u></p> <p><u>k. Outer Air Noise Overlay.</u></p> <p><u>With respect to railway and state highway designations, distance to the nearest habitable room of a building is measured to the closest point of the designation.</u></p>		
<p><b><u>Policy NOISE-P4 Acoustic treatment of buildings used for noise sensitive activities and provision of alternative ventilation for noise sensitive activities</u></b></p>	<p>The Decisions Noise-P4 is insufficiently clear and ambiguous in its drafting.</p>	<p><b>Delete</b> Noise P4 <b>Or</b> <b>Amend</b> as follows:</p>

<p>Require sound insulation and / or mechanical ventilation for <u>buildings or rooms housing new noise sensitive activities within High Noise Areas and Moderate Noise Areas, consistent with the anticipated outcomes for each receiving environment.</u></p> <ol style="list-style-type: none"> <li>1. <del>The City Centre Zone;</del></li> <li>2. <del>The Waterfront Zone;</del></li> <li>3. <del>The Centres Zones;</del></li> <li>4. <del>The Mixed Use Zones;</del></li> <li>5. <del>Outer Port Noise Overlay;</del></li> <li>6. <del>The Air Noise Overlay; and</del></li> <li>7. <del>Identified corridors adjacent to the State Highways and railway networks.</del></li> </ol> <p><u>The relevant acoustic insulation and ventilation standards are NOISE-S4, NOISE-S5 and NOISE-S6. Two standards of acoustic insulation are prescribed to achieve acceptable indoor acoustic amenity in habitable rooms.</u></p>		<p><b><u>Policy NOISE-P4 Acoustic and mechanical ventilation treatment of new buildings or alterations to existing buildings used for noise sensitive activities and provision of alternative ventilation</u></b></p> <p><u>Require sound insulation and / or mechanical ventilation for <i>new buildings or alterations to existing buildings used for rooms housing new noise sensitive activities within High Noise Areas and Moderate Noise Areas, consistent with the anticipated outcomes for each receiving environment.</i></u></p> <p><u>The relevant acoustic insulation and ventilation standards are NOISE-S4, NOISE-S5 and NOISE-S6.</u></p>
<p>Decision to reject WIAL's submission to insert two new noise policies as follows:</p> <p><b><u>NOISE-P7 Management of Activities Sensitive to Aircraft Noise:</u></b></p> <p><u>Within the Air Noise Boundary or 60dB Ldn Noise Boundary:</u></p> <ol style="list-style-type: none"> <li>1. <u>Avoid the establishment of new noise sensitive activities within the Open Space, Natural Open Space and General Industrial Zones;</u></li> <li>2. <u>Discourage the establishment of new or the intensification of existing noise sensitive</u></li> </ol>	<p>The Decisions Noise-P6 does not sufficiently recognise or protect the Airport's operations from reverse sensitivity effects recognising the particular characteristics of aircraft noise and appropriately manage the effects of Airport noise.</p>	<p><b>Insert</b> new policies as follows:</p> <p><b><u>NOISE-P7 Management of Activities Sensitive to Aircraft Noise:</u></b></p> <p><u>Within the Air Noise Overlays:</u></p> <ol style="list-style-type: none"> <li>1. <u>Avoid the establishment of new noise sensitive activities within the Open Space, Natural Open Space and General Industrial Zones;</u></li> <li>2. <u>Discourage further intensification of noise sensitive activities within all other zones unless the reverse sensitivity effects on</u></li> </ol>

<p><u>activities within all other zones unless the reverse sensitivity effects on Wellington International Airport can be appropriately avoided.</u></p> <p><b><u>NOISE-P8: Acoustic treatment of activities sensitive to aircraft noise</u></b></p> <p><u>Require, as necessary, sound insulation and/or mechanical ventilation within any new buildings or any additions or alterations to existing buildings that contain noise sensitive activities within the Air Noise Boundary or 60dB L<sub>dn</sub> noise contour.</u></p>		<p><u>Wellington International Airport can be appropriately avoided.</u></p> <p><b><u>NOISE-P8: Acoustic treatment of activities sensitive to aircraft noise</u></b></p> <p><u>Require, as necessary, sound insulation and/or mechanical ventilation within any new buildings or any additions or alterations to existing buildings that contain noise sensitive activities within the Air Noise Overlays.</u></p>
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FORM 5

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSED WELLINGTON CITY DISTRICT PLAN**

Part 1, Clause 6 of Schedule 1, Resource Management Act 1991

To Wellington City Council  
PO Box 2199  
Wellington 6140

**Name: Wellington International Airport Limited (“WIAL”)**

**1. This is a submission on the Proposed Wellington City District Plan (“the Proposed Plan”).**

**2. WIAL could not gain an advantage in trade competition through this submission.**

**3. The specific provisions of the proposal that this submission relates to are:**

**Wāhanga 1 Part 1 - He Whakatakinga me ngā Kaupapa Kōrero Introduction and General Provisions**

3.1 Ka pēhea te mahere e mahi ai - How the Plan Works

3.2 He Whakamāramatanga – Interpretation

**Wāhanga 2 Part 2 - Ngā Kaupapa o te Rohe Whānui District Wide Matters**

3.3 Te Ahunga ā-Rautaki - Strategic Direction

3.3.1 CEKP – Te Ohaoha, Mōhiotanga me te Taurikura ā-Tāone - City Economy, Knowledge and Prosperity

3.3.2 HHSASMW – Ngā Wāhi Aronehe me ngā Wāhi Tapu o te Mana Whenua - Historic Heritage and Sites and Areas of Significance to Mana Whenua

3.3.3 NE – Te Taiao Māori - Natural Environment

3.3.4 SCAI – Ngā Rawa me te Tūāhanga ā-Rautaki o te Tāone - Strategic City Assets and Infrastructure

3.3.5 SRCC – Te Whakaukatanga, Te Manawaroa me te Āhuarangi Hurihuri - Sustainability, Resilience and Climate Change

- 3.3.6 UFD – Te Āhua Tāone me te Whanaketanga - Urban Form and Development
- 3.4 Pūngao, Tūāhanga me te Tūnuku - Energy, Infrastructure and Transport
  - 3.4.1 INF – Tūāhanga - Infrastructure
  - 3.4.2 INF-CE – Tūāhanga - Takutai Moana - Infrastructure – Coastal Environment
  - 3.4.3 INF-ECO – Tūāhanga - Ngā Pūnaha Hauropi me te Kanorau Koiora Taketake - Infrastructure – Ecosystems and Indigenous Biodiversity
  - 3.4.4 INF-NH – Tūāhanga - Ngā Mōrearea ā-Taiao Infrastructure – Natural Hazards
  - 3.4.5 INF-OL – Tūāhanga - Ētahi anō Inaki Infrastructure – Other Overlays
  - 3.4.6 REG – Te Waihangatanga ā-Hiko Whakahou - Renewable Electricity Generation
  - 3.4.7 TR – Tūnuku - Transport
- 3.5 Ngā Mōrearea me Ngā Tūraru - Hazards and Risks
  - 3.5.1 CL – Te One Hawa - Contaminated Land
  - 3.5.2 HAZ – Ngā Matū Mōrearea - Hazardous Substances
  - 3.5.3 NH – Ngā Mōrearea ā-Taiao - Natural Hazards
- 3.6 Ngā Uara ā-Hītori me te Ahurea - Historical and Cultural Values
  - 3.6.1 SASM – Ngā Wāhi Tapu ki te Māori - Sites and Areas of Significance to Māori
- 3.7 Ngā Uara ā-Taiao Māori - Natural Environment Values
  - 3.7.1 PA – Te Uru Tūmatanui - Public Access
- 3.8 Wawaetanga - Subdivision
- 3.9 Ngā Kaupapa Arowhānui o te Rohe - General District-Wide Matters
  - 3.9.1 CE – Taiao Takutai - Coastal Environment
  - 3.9.2 EW – Ngā Mahi Apu Whenua - Earthworks
  - 3.9.3 LIGHT – Te Aho - Light
  - 3.9.4 NOISE – Te Oro - Noise
  - 3.9.5 SIGN – Ngā Tohu - Signs
  - 3.9.6 TEMP – Ngā Mahi Taupua- Temporary Activities
  - 3.9.7 WIND – Ngā Hau - WindEarthworks

**Ngā Kaupapa e Hāngai Pū ana ki te Rohe - Area Specific Matters**

- 3.10 All (insofar as paragraphs 4.109 to 4.110 are concerned)

- 3.11 Ngā Ahoaho me Ngā Rohe ā-Rēhia - Open Space and Recreation Zones
  - 3.11.1 NOSZ – He Rohe Ahoaho Māori - Natural Open Space Zone
- 3.12 Ngā Rohe Kaupapa Motuhake - Special Purpose Zones
  - 3.12.1 AIRPZ – He Rohe Taunga Wakarererangi - Airport Zone
- 3.13 Ngā Āpitianga, Ngā Aratohu Hoahoa me Ngā Hōtaka - Appendices, Design Guides and Schedules
  - 3.13.1 Ngā Āpitianga – Appendices
    - 3.13.1.1 APP4 – Ngā Paerewa Haunene e Whakaaetia ana - Permitted Noise Standards
  - 3.13.2 Ngā Hōtaka – Schedules
    - 3.13.2.1 SCHED7 – Ngā Wāhi Tapu o te Māori - Sites and Areas of Significance to Māori
    - 3.13.2.2 SCHED8 – Ngā Wāhi Taiao Matua - Significant Natural Areas
- 3.14 Planning Maps
- 3.15 Any other matter or related matter referred to in **Annexures A and B**.  
  
This covering submission should be read alongside **Annexures A and B**.

#### **4. WIAL’s submission is:**

##### **Overview of Wellington International Airport**

- 4.1 WIAL operates the regionally and nationally significant Wellington International Airport (“**Wellington Airport**” or “**the Airport**”).
- 4.2 Wellington Airport plays a fundamental role in the social and economic wellbeing of the city, region and the country. The Airport accommodates aircraft movements associated with scheduled, general aviation operations, for domestic and international flights, corporate jets, the New Zealand Defence Force and helicopters. The Airport provides an important national and international transport link for the local, regional and international community and has a major influence on the regional and national economy. The Airport is also a provider of emergency services and is a lifeline utility under the Civil Defence Emergency Management Act 2002 (“**CDEM 2002**”).
- 4.3 Wellington Airport is one of the busiest airports in New Zealand, and prior to Covid-19, accommodated in excess of 6.4 million passengers in the year ending March 2019 (FY19). It is a gateway for residents, visitors and business travellers, connecting the capital city to all parts of New Zealand, to Australia, the Pacific, and onwards to the rest of the world. The

Airport is also a generator of economic growth, providing significant direct business and employment opportunities on-site, as well as indirect economic benefits to the city and the wider Wellington region.

- 4.4 Prior to Covid-19, Wellington Airport had been experiencing significant growth in the use of its facilities and infrastructure over recent years, particularly in international and domestic passengers. In the latest financial year (FY22) traffic recovered to 58% of pre-pandemic levels, and during the first third of FY23 to 75%, with latest projections anticipating a full recovery around FY25. Beyond FY25, pre-Covid levels of growth are predicted to continue as required to support the forecast growth in population and economic activity in the Wellington Region.
- 4.5 Wellington Airport is managed by WIAL. WIAL is a network utility operator and a requiring authority under section 166 of the Resource Management Act 1991 (“**the RMA** or “**the Act**”).
- 4.6 The Airport is the subject of 5 designations in the Operative Wellington District Plan (Operative Plan), namely:
- 4.6.1 Designation G2 – Airspace in the vicinity of Wellington International Airport – the purpose of this designation is to limit the construction of any structure including any building, aerial, antennae or other objects which may inhibit the safe and efficient operation of Wellington International Airport;
  - 4.6.2 Designation G3 – Runway End Safety Area Extension (RESA) – Southern End – this designation includes both temporary and permanent components to provide for the RESA development;
  - 4.6.3 Designation G4 – Airport Purposes – Miramar South Area – this designation is for airport purposes, including flight catering, rental car storage, maintenance and grooming, freight reception, storage and transfer, ground service equipment, and associated carparking signage, service infrastructure and landscaping;
  - 4.6.4 Designation G5 – Airport Purposes – Wellington Airport Main Site Area. This designation covers the majority of the airport’s landholdings (including the main operational area) situated between Lyall Bay and Evans Bay with an area of approximately 105 hectares; and
  - 4.6.5 Designation G6 – Airport Purposes – Wellington Airport East Side Area. This designation covers land to the east of the Main Site Area Designation, the majority of which comprises the southern portion of the Miramar Golf Course with an area of approximately 15.5 hectares.

- 4.7 Designations G2, G3, and G4 are proposed to be “rolled over” in the Proposed Plan in accordance with clause 4 of Schedule 1 of the RMA, however WIAL is proposing to remove Designation G3 shortly pursuant to section 182 of the RMA.
- 4.8 Designations G5 and G6 were inserted into the Proposed Plan in accordance with section 175 of the RMA. These two designations are not subject to the Proposed District Plan’s submissions and decisions processes under Schedule 1 of the RMA because both designations were recently confirmed by the Environment Court (*Guardians of the Bay v Wellington International Airport* [2022] NZEnvC 106) through appeals and confirmed pursuant to Part 8 of the RMA.
- 4.9 Wellington Airport is identified as regionally significant infrastructure in the Greater Wellington Regional Policy Statement and Natural Resources Plan and now, the Proposed Plan. It plays a critical role in providing for the economic and social wellbeing of the Wellington District.

*General relief sought*

- 4.10 Given its role in managing the Airport, WIAL is concerned to ensure that the Proposed Plan appropriately recognises and provides for the Airport to operate in a safe, efficient, and effective manner, whilst ensuring that reverse sensitivity effects are avoided.

**Wellington Airport as a significant infrastructure provider**

- 4.11 Wellington Airport comprises regionally and nationally significant infrastructure.
- 4.12 The Regional Policy Statement and Natural Resources Plan for the Wellington Region both provide specific policy recognition of such infrastructure and acknowledge its importance in providing for the social, economic and cultural wellbeing of people and communities. The Proposed Plan is required to give effect to these Regional Policy Statement provisions and not be inconsistent with the relevant Natural Resources Plan provisions.
- 4.13 Functional, technical, operational and safety related constraints often influence the location of important infrastructure, such as airports. In the case of Wellington Airport, given the lack of suitable alternative locations, providing for the ongoing operation, development and growth of Wellington Airport in its current location and safeguarding the Airport’s obstacle limitation surface and aircraft noise boundaries to ensure effective and efficient airport operations is therefore of regional significance.
- 4.14 Accordingly, the functional, operational, technical and/or safety related requirements of this infrastructure require appropriate recognition in the Proposed Plan. The significant social and economic benefits that can accrue from the operation of this infrastructure also needs to be given due consideration. At a high level, this framework needs to:

- 4.14.1 Recognise the social, economic, cultural and environmental benefits of regionally significant infrastructure;
- 4.14.2 Protect regionally significant infrastructure from effects of incompatible land use and development, including reverse sensitivity effects;
- 4.14.3 Manage the effects arising from regionally significant infrastructure, recognising that the operational and/or functional requirements of infrastructure sometimes mean that not all effects can (or should be required to) be avoided, remedied or mitigated.

*General relief sought*

4.15 While the Proposed Plan provisions go some way to achieving the above outcomes, the complex layering of consent requirements within the Proposed Plan means that the enabling intent of those provisions is often rendered nugatory. WIAL submits that further changes are therefore required to the planning framework as it relates to regionally significant infrastructure, to ensure the high level framework set out in paragraph 4.14 is achieved.

4.16 With respect to Wellington Airport, WIAL notes that the Council has sought to exclude Wellington Airport from the Infrastructure Chapter of the Proposed Plan. This exclusion is to ensure that the consent requirements within the Infrastructure Chapter do not inadvertently capture airport purpose or airport related activities within the Airport Zone. While WIAL supports this approach in principle, the Airport still comprises “infrastructure” for the purposes of the section 2 of the Act and is a network utility under section 166 of the RMA. Furthermore, WIAL undertakes airport and airport related, albeit beyond the Airport Zone.

*General relief sought*

4.17 WIAL therefore submits that it is only the methods of the Infrastructure chapter that should not apply to Airport and Airport Related Activities within the Airport Zone, allowing the objectives and policies to be considered as part of the wider planning framework for the Airport. It remains appropriate however, for the Infrastructure chapter and associated provisions to otherwise apply to airport and airport related activities that may occur outside of the Airport Zone.

4.18 It is also unclear from the introductory wording of the Infrastructure chapter whether the infrastructure sub-chapters also do not apply to airport and airport related activities within the Airport Zone. WIAL submits that the wording in the introduction is updated to make clear that the infrastructure chapter, **and** the infrastructure specific overlay sub-chapters do not apply to airport and airport related activities within the Airport Zone.

### **WIAL as a Lifeline Utility Operator**

- 4.19 WIAL is a lifeline utility operator under the CDEM 2002 in respect of its operation of Wellington Airport. In the event of a significant earthquake or other hazard event, the airport is recognised as potentially the only link between the city and the rest of the country given the vulnerability of the road and rail network, and the potential for the port and harbour access to be affected by liquefaction. This further emphasises why it is important to appropriately recognise and provide for the ongoing operation and development of Wellington Airport.

### **Wellington Airport as a facilitator of economic growth and wellbeing**

- 4.20 Wellington Airport serves an important role in facilitating the movement of people and goods, which in turn feeds the region's economy. Wellington Airport is the primary arrival and departure port for many visitors to the region.
- 4.21 For the year ending March 2020, Wellington Airport accommodated 6.1 million passengers, with the last few months of the year impacted by the initial phase of Covid. Despite passengers reducing to just under 3 million passengers the following year, recovery since has been strong with recovery back to 75% of pre-Covid for April-July 2022 (87% in July alone) with the current expectation that restoration to FY20 levels will occur around FY25. Growth projections beyond FY25 have indicated that passenger growth is set to continue, with almost 8 million passengers projected by 2030 at an average growth rate of 2.4% per year.
- 4.22 Wellington Airport makes a significant contribution to the Wellington region's economy. Prior to Covid 19, for the year ending March 2020, it was estimated that Wellington Airport contributed approximately \$2.3 billion to the region's economy, with pre Covid growth projections indicating this would double to \$4.3 billion per year, generating \$2.1 billion of GDP and facilitating more than 22,000 additional jobs.<sup>1</sup> The ongoing operation and development of the Airport is therefore of significant importance to the economic wellbeing of the community and the associated employment opportunities that accrue.
- 4.23 The Airport also facilitates social connectivity and wellbeing. The demand for air travel is often driven by a need or desire to visit family and friends, take vacations, participate in sporting or cultural activities, do business, and/or take part in educational opportunities. Because Wellington Airport is such a significant contributor to the region's social and economic wellbeing, the ongoing ability of Wellington Airport to function and grow without undue constraint is therefore of significant importance to the Wellington region.

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<sup>1</sup> Wellington Airport Annual Review, 2020.

*General Relief Sought*

- 4.24 Accordingly, at a strategic level, as significant infrastructure that substantially contributes to the social and economic wellbeing of the community, Wellington Airport requires appropriate recognition in the Strategic Directions chapter of the Proposed Plan.

**Sustainability at the Airport**

- 4.25 WIAL recognises that the effects of climate change and global sustainability are of increasing importance to the community, WIAL's customers and the aviation industry. WIAL is committed to playing its part in helping New Zealand to achieve the national target of net zero emissions by 2050.
- 4.26 WIAL, together with its airline and aviation sector partners, work closely with government agencies to ensure that all policy requirements are met and is closely engaged in the development of climate-related policy.
- 4.27 To this end, WIAL has committed to reducing the airport's operational carbon emissions (as well as waste to landfill and electricity use) by 30% by 2030. These targets are used to inform daily decision making, including adopting energy efficient and sustainable construction into airport projects and making changes to how waste and resources are managed. WIAL's carbon emissions target is an absolute target, which means WIAL will reduce emissions irrespective of the Airport's footprint or the number of passengers serviced through the Airport.
- 4.28 As the Airport Authority, WIAL is obliged to plan to accommodate aviation demand to meet the needs of the residents of the city and surrounding region. The industrywide response to climate change is generating significant activity in the design of new aircraft and the investment in new technology. Given this fact, it is certain that aircraft technology will change over the next 20 years and could potentially involve the transition of aircraft from fossil fuel to electric, hybrid, hydrogen or biofuels (referred to as Sustainable Aviation Fuel ("SAF")).
- 4.29 The only thing that is certain about the future of aviation in a low carbon economy is that airports, including Wellington Airport, will need the flexibility to accommodate changes in technology as we move toward meeting our nation's net carbon zero 2050 commitment.

**General Observations – Proposed Plan**

- 4.30 The Proposed Plan has been prepared in general accordance with the requirements set out in the National Planning Standards. However, somewhat counter to the intent of the Planning Standards, the Proposed Plan contains a significant degree of repetition. This results in a duplication and layering of planning controls which is inefficient and results in



additional resource consent requirements without clear direction around the effects the controls are seeking to manage.

*General Relief Sought*

- 4.31 To streamline the Proposed Plan, all unnecessary duplication should be removed and each chapter should focus on managing the effects that specifically relate to that chapter and are not otherwise managed by the underlying zone rules.

**ISSP v Schedule 1**

- 4.32 The Proposed Plan contains provisions that have been notified using either a Part One Schedule 1 process, or as part of an Intensification Planning Instrument (“**IPI**”) using the Intensification Planning Process (“**ISPP**”) under Part 6 of Schedule 1 to the RMA. Each chapter of the Proposed Plan includes notations as to which process each provision forms part of.
- 4.33 The key difference between the two processes is that the ISPP does not allow appeals of decisions, however the Council’s website also states that the ISPP covers roughly 60 percent of the Proposed Plan. These two factors, combined with the lack of clarity about why the ISPP process has been adopted for such a large extent of the plan, raises concern as to the broad application of the ISPP across the district in the Proposed Plan.
- 4.34 Section 80E of the RMA sets the scope of matters that an IPI may include. In summary, an IPI must be used to incorporate the Medium Density Residential Standards (“**MDRS**”) and give effect to Policies 3, 4 and 5 of the National Policy Statement for Urban Development (“**NPS-UD**”) (the **mandatory outcomes**) (as applicable). An IPI may include provisions relating to financial contributions, to enable papakāinga housing, or related provisions, that support or are consequential on the MDRS, or Policies 3, 4, and 5 of the NPS-UD. If “related provisions” are to be included in an IPI, then section 80E(1)(b)(iii) prescribes that those provisions must “support or be consequential on” the MDRS or Policy 3 of the NPS-UD; there must be a clear link between the proposed provision, and achieving one of the mandatory outcomes.
- 4.35 Numerous chapters, and parts of chapters in the Proposed Plan have been identified as progressing through the ISPP, including the entire Natural Hazards chapter and parts of the Coastal Environment chapter (which are of particular relevance to WIAL). It is acknowledged that some of the matters progressing through the ISPP, such as Natural Hazards, fall within the scope of matters that can be considered “qualifying matters” under sections 771 or 770, and therefore could be provided for in an IPI if a particular area subject to an IPI needs to be made less enabling of development to provide for that qualifying matter – and therefore considered as a “related provision”. It is also

acknowledged that the Airport Zone likely falls within the scope of “urban non-residential zone”<sup>2</sup> for the purpose of section 77F.

- 4.36 However, it is not clear how an entire chapter, such as the Natural Hazards chapter, falls within the scope of matters that can be included in an IPI (and therefore progressed through the ISPP). It is understood that this chapter is being considered a “related provision” in order to fall with the scope of an IPI, however it is unclear how progressing the Natural Hazards chapter through the ISPP will give effect to one of the mandatory outcomes. The necessary link between the proposed provisions progressing through the ISPP and implementing one of the mandatory outcomes does not appear to have been made out. The overlays in the natural hazard chapter apply across the entire district, whereas the mandatory outcomes only need to be implemented in urban environments – the justification for using the ISPP for the entire natural hazards chapter, which applies to much more than just urban environments, is therefore unclear.
- 4.37 It is also unclear how the hearing process will work for chapters that are partly processed through Schedule 1 and partly through the ISPP – and WIAL is concerned that this approach will lead to confusion and fragmented plan making.
- 4.38 The fact that decisions from the ISPP cannot be appealed significantly limits the opportunity for the provisions to be considered, which could have significant ramifications particularly for district-wide provisions and overlays such as those mentioned above.

*General relief sought*

- 4.39 These procedural matters need to be appropriately rectified throughout the Proposed Plan. WIAL will address this matter further in legal submissions at the hearing.

**Existing Seawall – Lyall Bay to Moa Point**

- 4.40 An existing seawall is located along the coastal interface, between Lyall Bay and Moa Point. The sea wall serves a significant function, protecting Moa Point Road (an Urban Connector Road), Wellington Water’s Three Waters (“**3 Waters**”) infrastructure (including various pipes leading to the Moa Point Wastewater Treatment Plant) and Wellington Airport from the effects of coastal erosion and storm surges. Both the 3 Waters and Airport infrastructure comprise “regionally significant infrastructure” in the Greater Wellington Regional Policy Statement, Natural Resources Plan and in the Proposed Plan.
- 4.41 Despite the seawall’s significant role and function, it is not expressly captured by the definition of “infrastructure”, as defined under the RMA and subsequently, the Proposed Plan. Any maintenance, upgrading, repair, replacement or development of the seawall above mean high water springs therefore does not engage the infrastructure provisions of

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<sup>2</sup> Under the definition set out in section 77F.

the Proposed Plan, and instead requires consideration under the more narrowly focused Natural Open Space Zone and the relevant provisions contained within the Coastal Environment Chapter of the Proposed Plan.

4.42 Objective NOSZ-O1 describes the purpose of the Natural Open Space Zone as follows:

*Natural open space areas are predominately used by the public for informal recreation activities, within undeveloped natural areas, in such a way that protects, and where possible enhances, the predominant character and amenity values of the Natural Open Space Zone which include:*

1. *Large undeveloped open areas;*
2. *High natural, ecological, landscape and historic heritage values;*
3. *A low level of built form and scale, with buildings, structures and roads principally ancillary to informal recreation activities or conservation activities; and*
4. *A general absence of urban infrastructure.*

4.43 The existing seawall is almost entirely inconsistent with this purpose statement. Notably:

4.43.1 The environment surrounding the seawall is highly modified and is far from natural;

4.43.2 The seawall is not predominantly used for informal recreation activities; and

4.43.3 The seawall does not protect or enhance the predominant character or amenity values of the zone.

4.44 Given the existing environment surrounding the seawall and its significant role and function in protecting and supporting the adjacent road, 3 Waters and Airport infrastructure, WIAL questions the efficiency and effectiveness of the Natural Open Space zoning and the associated planning framework insofar as it relates to this area. Notably, the planning framework is complex, repetitive and unduly onerous for an activity that serves a significant function in protecting these regionally significant assets. The framework also imposes consent requirements on the seawall which, due to its operational and functional requirements, cannot be avoided. For example, there is an inherent need for the seawall to be located within the coastal margins and established within an area that is subject to high natural hazard risks. The Natural Resources Plan will also address the broader effects on the coastal environment.

*General relief sought*

4.45 In light of the above, WIAL submits that:

4.45.1 The planning framework, insofar as it relates to the seawall between Lyall Bay and Moa Point, should be updated to enable the ongoing maintenance, repair, upgrading and renewal of the existing seawall where it protects regionally significant infrastructure; and

4.45.2 An alternative land use zoning is applied to the site that more appropriately recognises the surrounding environment the seawall sits within.

### **Coastal Environment**

- 4.46 The Proposed Plan includes a newly mapped “Coastal Environment” overlay. This overlay (and associated objectives, policies and methods) is in response to the National Planning Standard directive for any district with a coastline to establish an approach for managing the coastal environment, giving effect to the New Zealand Coastal Policy Statement (“**NZCPS**”) and setting provisions for implementing the local authority’s functions and duties in relation to the coastal environment above mean high water springs.
- 4.47 In trying to achieve the above, the Coastal Environment chapter unnecessarily duplicates controls found elsewhere within the Proposed Plan. As anticipated by the National Planning Standard, the chapter can “*cross reference to any other specific coastal provisions that may be located within other chapters*”.<sup>3</sup>

#### *General relief sought*

- 4.48 To remove unnecessary duplication, the entire chapter and the associated infrastructure within the coastal environment chapter should be reworked to focus on effects that specifically relate to the coastal environment and have not already been addressed, or cannot otherwise be addressed, by the underlying land use zone.
- 4.49 Amendments are also required to the provisions to ensure the provisions give effect to all relevant parts of the NZCPS, including those provisions that recognise the functional and operational requirements of activities (such as infrastructure) to locate within these areas and the associated management of effects.

### **Significant Natural Areas**

- 4.50 The Proposed Plan identifies two significant natural areas (“**SNAs**”) in the vicinity of Wellington Airport. This includes:
- 4.50.1 The Moa Point Gravel Dunes (WC175); and
- 4.50.2 The Lyall Bay Gravel Dunes (WC176).
- 4.51 Both have been identified in Schedule 8 as hosting a combination of indigenous flora and fauna.
- 4.52 The status afforded to these areas is based on a 2016 desktop analysis undertaken by Wildland Consultants. Within this report, it is noted that report the “Assessments are based on historical and desktop information, and values and significant assessments need to be

<sup>3</sup> Refer to paragraph 28(c) of chapter 7 of the National Planning Standards.

confirmed by site visit”. Furthermore, with respect to both the Moa Point and Lyall Bay Gravel Dunes, the report states that these areas are “Likely to be significant but requires a site visit”.

*General relief sought*

- 4.53 Due to the potential consenting constraints that accrue from this SNA status, WIAL submits that these two SNAs should be deleted until such a time that a detailed field analysis has been undertaken to confirm that these areas are genuinely “significant” and warrant the degree of protection afforded by the SNA status. In undertaking this assessment, it is imperative that consideration is given to the existing environment, including as it may be modified by existing lawfully established activities, such as the Airport and associated infrastructure.
- 4.54 Should, following a field study, these areas remain SNAs, WIAL submits that it is imperative that the relevant infrastructure provisions of the Proposed Plan provide a potential consenting pathway for the potential removal of vegetation within these SNAs where necessary to protect the safe operation and functioning of regionally significant infrastructure.

- 4.55 At present, the relevant provisions focus on controlling the removal of vegetation where infrastructure is located within a SNA. WIAL’s operations are not located within the SNA, however the presence of the SNA in such close proximity to the runway poses a potential risk to aircraft due to some of the bird species that reside in this area. While WIAL has mechanisms in place to actively manage such threats to aircraft safety, WIAL considers it is more appropriate to avoid enhancing habitats that have the potential to create a risk to aircraft in close proximity to the Airport and instead encourage them to locate elsewhere within the coastal environment.

**Airport Zone**

- 4.56 In recent decades the use of aerodromes or airports has evolved well beyond the provision of traditional ‘runways and terminals’. Modern airports are highly sophisticated and dynamic land uses which legitimately encompass a broad range of activities in order to provide for the needs and demands of aircraft passengers, crew, ground staff, airport workers and those that meet and greet travellers.
- 4.57 Modern airports often also provide for a range of industrial, commercial and logistical land uses, as such uses either provide direct servicing to the aviation industry, or feed directly off it.
- 4.58 Moreover, it is becoming increasingly important for airport operators to retain sufficient flexibility to properly enable forward planning and development necessary to respond to changing demands that arise at a modern airport.

- 4.59 Helpfully, case law<sup>4</sup> has acknowledged that commercial activities, that are not necessarily ‘aeronautical’, do form part of a modern airport. Specifically, the term ‘airport’ has been held to embrace an entire airport site and facilities of an integrated operation, and is a sophisticated and diverse business providing a wide range of supporting facilities and services.<sup>5</sup> The Court in that case noted that airports around the world now consistently include a wide range of facilities, some not obviously connected directly to the arrival and departure of aircraft, their passengers, crew and freight and those involved in that activity, but with all such activity being focused on providing revenue to the airport operator to offset the losses inevitably derived from aircraft operations strictly so-called.<sup>6</sup>
- 4.60 The Airport Zone chapter does not adequately recognise the diverse and evolving nature of an airport and creates an inefficient and ineffective consenting framework that fails to recognise that a broad range of activities are reasonably anticipated within the zone. WIAL also submits that:
- 4.60.1 The zone needs to be able to operate independently of the designation. Where designation conditions are “replicated” as rules or standards within the Zone, the further nuancing (and in some cases, deletion) of those provisions is required in order to ensure the controls are appropriate and enforceable, particularly with respect to the management of aircraft noise effects.
- 4.60.2 The definition of “Airport Purpose” and “Airport Related” activities requires updating to better reflect the activities that can be reasonably anticipated at the Airport;
- 4.60.3 The methods require refinement to remove the overlap between rules and standards that relate to “activities” and “buildings and structures”.

*General relief sought*

- 4.61 A substantial overhaul of the Airport Zone is required to address the matters raised in paragraphs 4.56 to 4.60, the matters identified in Annexure B and to ensure that the chapter adequately provides for the ongoing operation, maintenance, upgrade, development and use of the airport, as regionally (and nationally) significant infrastructure. WIAL has therefore drafted a revised Airport Zone chapter to address these concerns and attaches this as Annexure B. Providing a redrafted chapter was considered to be appropriate and necessary given the extent of the changes required/sought.

<sup>4</sup> *McElroy v Auckland International Airport Ltd* [2008] 3 NZLR 262, unsuccessfully appealed to the Court of Appeal and Supreme Court. Note that this case relates to proceedings under the Public Works Act, however it provides useful interpretive assistance with respect to the application of similar terms under the Resource Management 1991.

<sup>5</sup> See for example [74] of *McElroy v Auckland International Airport Ltd* [2009] NZCA 621.

<sup>6</sup> See paragraph [195] of the High Court decision of *McElroy*.

## Aircraft Noise Management

- 4.62 WIAL is concerned about the approach that has been adopted within the Noise Chapter of the Proposed Plan for managing aircraft noise and land use effects.
- 4.63 Compared to other many other airports around New Zealand, the planning approach in the Proposed Plan is more permissive than the New Zealand Standard for Airport Noise Management and Land Use Planning - NZ NZS 6805:1992 (“**the Standard**”), a Standard which represents current best practice. The Standard uses an aircraft noise boundary concept as a mechanism for local authorities to establish compatible land use activities and to set limits for the management of aircraft noise at airports where noise control measures are needed to protect community health and amenity values.<sup>7</sup>
- 4.64 The Standard recommends that, inside the Air Noise Boundary (“**ANB**”), where the aircraft noise exposure level is greater than 65dB L<sub>dn</sub>:
- New residential, schools, hospitals or other noise sensitive uses are prohibited. Steps shall be taken to provide existing residential properties with appropriate acoustic insulation to ensure a satisfactory internal noise environment. Alterations or additions to existing residences or other noise sensitive uses shall be permitted only if fitted with appropriate acoustic insulation.*<sup>8</sup>
- 4.65 Additionally, where the sound exposure exceeds 70dB L<sub>dn</sub> the Standard recommends non-residential or non-noise sensitive land uses only. Where exposure exceeds 75dB L<sub>dn</sub>, the Standard recommends avoiding noise sensitive users due to the high probability of adverse health effects.
- 4.66 As noted above, the approach being proposed in the Proposed Plan is more permissive than the Standard recommends. WIAL acknowledges however, that the approach in the Proposed Plan is more restrictive than the Operative Plan, with resource consent now being required for all noise sensitive activities within the ANB.
- 4.67 WIAL submits that, in order to bring the Proposed Plan into greater alignment with NZS6805 and to protect WIAL from reverse sensitivity effects arises from a rapidly evolving aviation sector, all new noise sensitive activities within the ANB or 60dB L<sub>dn</sub> noise boundary should be subject to a resource consent requirement, with WIAL being considered an affected party to any application under section 95E of the RMA. This approach will also recognise that aircraft noise is anticipated to increase over time, therefore the noise environment that is experienced now is not the noise environment that will be experienced, 10, 20 or 30 years into the future as aircraft operations increase within the authorised limits of the ANB and 60dB L<sub>dn</sub>.

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<sup>7</sup> Sections 1.1.4 and 1.1.2 of the Standard (NZS 6805: 1992).

<sup>8</sup> Table 1 of NZS 6805:1992.

*General relief sought*

- 4.68 In summary, the framework should include:
- 4.68.1 Objectives, policies and methods within the noise chapter to ensure the land use management framework within the Air Noise Boundary and 60dB Ldn noise boundary achieves greater alignment with NZS6805, including by:
    - 4.68.1.1 Establishing a policy framework where resource consents can be declined within existing residential zones for noise sensitive activities on reverse sensitivity grounds;
    - 4.68.1.2 Prohibiting noise sensitive activities within zones where such activities are not generally not anticipated (i.e. the general industrial and Open Space Zones) are a prohibited activity; and,
    - 4.68.1.3 Requiring acoustic treatment and/or mechanical ventilation for new, or additions or alterations to existing buildings containing noise sensitive activities;
  - 4.68.2 Changes to the objectives, policies and methods within the Subdivision Chapter to create alignment with the above framework and to generally discourage the intensification of noise sensitive activities through subdivision within the ANB or 60dB Ldn; and,
  - 4.68.3 Establishment of standalone reverse sensitivity requirements for noise sensitive activities within the ANB and 60dB Ldn to allow better recognition of the effects of aircraft noise on noise sensitive activities;
- 4.69 WIAL also submits that the appropriateness or otherwise of the proposed mechanical ventilation standards set out in NOISE-S6 require further consideration. Specifically, WIAL seeks to ensure that the ventilation standards do not create an untenable internal living environment for occupants of noise sensitive activities, and that operation of the requisite ventilation is affordable for residents and/or tenants to operate. Further changes to the mechanical ventilation specifications may be required to achieve this outcome.
- 4.70 The Noise Chapter has also sought to include the noise related conditions of the Airport Designations as rules or standards within the District Plan. As WIAL advised via its Notice of Requirement (“**NOR**”) for the Main Site designation, there are difficulties with such a rule from a compliance and enforcement perspective. It is also inappropriate and unnecessary to duplicate the aircraft noise management requirements set out in the in Main Site and East Side Area Designations. Such duplications should be deleted.



- 4.71 WIAL supports the mapping of the ANB and 60dB  $L_{dn}$  Noise Boundary, as depicted on the planning maps. The purpose of these boundaries is two fold:
- 4.71.1 They identify an area within which specific land use controls apply; and,
  - 4.71.2 They identify the point of compliance with respect to aircraft noise, as defined by WIAL's Main Site and East Side Area Designations.
- 4.72 An ANB based on 65 dB  $L_{dn}$  is consistent with the Standard for Managing Aircraft Noise. Generally, airport noise boundaries are based on the day-night sound exposure level ( $L_{dn}$ ).  $L_{dn}$  is the day/night weighted average noise exposure level which is the sum of the sound energy from all aircraft noise events averaged over 24 hours with a weighting applied to night-time events. For airport noise boundaries the Standard recommends using the average  $L_{dn}$  over a three-month period<sup>9</sup>. The  $L_{dn}$  night weighting means that aircraft noise events between 10pm and 7am are weighted by an additional 10 decibels to account for the heightened sensitivity to noise at night. International research has found that the  $L_{dn}$  metric correlates well with community annoyance to aircraft and other transportation noise.
- 4.73 Whether or not compliance with the ANB limit is achieved is therefore based on the total number of aircraft movements at Wellington Airport. The conventional approach for most airports around New Zealand is for aircraft noise compliance limits to be imposed via designation conditions, thus meaning that the requiring authority is responsible for ensuring that aircraft operations achieve the prescribed noise limits at the ANB identified on the relevant planning maps. There are measuring and reporting functions incorporated into the designation to confirm this with the regulators and public as required. This was one of the key rationales for the Main Site Designation being proposed by WIAL. Implying that there is a consenting pathway for changes to the ANB via the District Plan (albeit as a non-complying activity) is inconsistent with the approach that is being promoted by WIAL via its designation.
- 4.74 Furthermore, a designation is intended to provide the requiring authority with greater flexibility and also greater control over its land use activities within the designated site. Designations by their nature are essentially 'stand alone' provisions within the district planning framework. It is not appropriate to seek to duplicate the conditions of the designation within the rule framework of the District Plan. Structuring the Proposed Plan to essentially replicate the designation requirements is considered to be inefficient and ineffective, as the underlying zone is intended to remain and applies to any other activities that are for a purpose different to the designation purpose and/or not proposed by the requiring authority.

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<sup>9</sup> NZS 6805 recommends averaging over a three month period or agreed alternative period.  $L_{dn}$  can be averaged over any period of 24 hour blocks.

*General relief sought*

- 4.75 It is important to note that the noise provisions within the Proposed Plan do not appear to provide for military aircraft operations at Wellington Airport as a separate activity. For clarity, WIAL considers such activities should be specifically excluded from or subject to their own the rules and standards contained within the Noise chapter in circumstances where WIAL does not have control over military aircraft operations at Wellington International Airport.

**Subdivision**

- 4.76 Residential subdivision is generally enabled by the Subdivision chapter of the Proposed Plan. A number of the objectives and policies restrict or limit subdivision activities in certain overlays. None of these provisions however reflect the ANB or 60dB Ldn Boundary for the Airport.

*General relief sought*

- 4.77 WIAL submits that there should be suitable restrictions recognised within the objectives and policies to ensure the ANB and 60dB Ldn Noise Boundary is not compromised in terms of its effectiveness for managing aircraft noise and reverse sensitivity effects. For this reason, WIAL also submits that rules within this chapter should also restrict subdivision activities within the 60dB Ldn Boundary.

- 4.78 In addition to the above, under the current drafting of Subdivision chapter, it is not clear what the resulting activity status would be for a subdivision activity within the Airport Zone as the site is subject to a number of natural hazard and coastal related overlays which render other rules obsolete. For example:

4.78.1 It is a controlled activity to subdivide land within the coastal margins and the Airport Zone (SUB-R15), yet the same areas are almost entirely subject to a medium or high coastal hazard overlay where subdivision is a restricted discretionary activity (SUB-R26); and

4.78.2 Subdivision to create a new allotment for infrastructure is a controlled activity (SUB-R4);

4.78.3 Subdivision that creates a vacant allotment (SUB-R5) is also a controlled activity.

*General relief sought*

- 4.79 The Subdivision chapter should be closely reviewed and where possible, the rules simplified and repetition removed.

4.80 WIAL also submits that a number of provisions make reference to building platforms. Further guidance is required within the provisions regarding where it is necessary for building platforms to be identified as part of the subdivision activity. There should be no requirement for building platforms to be identified in the Airport zone.

#### **Sites of Significance to Māori**

4.81 There are two Sites and Areas of Significance identified in Schedule 7 of relevant to Wellington Airport. These include:

4.81.1 Maupuia Pā (Category A); and

4.81.2 Moa Point (Category B).

4.82 WIAL does not necessarily object to these being identified as sites of significance but notes that these sites have been significantly modified by land use development over time. While WIAL recognises that mana whenua's relationship with these areas endures, despite the modifications, it is not clear how the planning framework is to be applied to these areas. For example:

4.82.1 SASM-P5 and associated SASM-R3 provides for the 'modification of features integral to a Category A or B site of significance to Māori', however Schedule 7 does not identify any "features integral" to the Maupuia Pa or Moa Point. It is therefore not clear how these provisions are to be applied (if at all) to these sites, and how to assess the relevant matters of discretion if it does remain a relevant consideration.

4.82.2 SAMS-P4 and P5 and associated SASM-R4 and R5 set out the parameters around when buildings and structures may be appropriate within sites or areas of significance to Māori. Again, it is not clear how these provisions will be applied to heavily modified sites and areas which will not affect any identified "integral" features.

4.82.3 SAMS-P6 and associated SASM-R6 seek to "avoid" the demolition or destruction of sites or areas of significance to Māori. In the context of the two heavily modified sites within the Airport Zone, it is not clear how the relevant provisions would be implemented or assessed where the sites have already been "destroyed" and/or "destroyed".

4.83 WIAL also submits, with particular reference to the scheduled Moa Point site, that the site is located within a core operational area of the airport and is subject to strict Civil Aviation regulations. As the Infrastructure methods do not apply within the Airport Zone, there is no clear consenting pathway within the Sites of Significance to Māori chapter for what is otherwise a piece of regionally significant infrastructure within this chapter.

*General Relief sought*

- 4.84 The sites should be deleted or substantial changes are required to this chapter to accommodate the activities within the Airport Zone, particularly given the regional significance of the Airport and the existing modified state of the sites of significance.

**Natural Hazards**

- 4.85 The Proposed Plan identifies a number of natural hazard areas. Notably for Wellington International Airport, this includes:
- 4.85.1 Coastal Hazard Inundation Overlay – including areas of medium and high coastal hazard inundation;
  - 4.85.2 Flood Hazard Overlay – including inundation areas and overland flowpaths;
  - 4.85.3 Tsunami Hazard Overlay – including areas of high, medium and low coastal tsunami hazard; and,
  - 4.85.4 Liquefaction Hazard Overlay.
- 4.86 With respect to the liquefaction and flood hazard inundation areas, WIAL opposes these overlays insofar as they apply to its landholdings. The engineering and design requirements of airport infrastructure, including the requirements under the CDEM to remain operational following a natural hazard event, mean that liquefaction and flood hazard inundation cannot occur on site for operational reasons. In the unlikely event that such events did arise, immediate action would be taken to rectify the situation to allow the operation of the airport to continue.
- 4.87 With respect to tsunami hazard, WIAL acknowledges that its proximity to the coast means there is an inherent coastal tsunami risk. This risk is existing however, and large parts of the mapped hazard area cover existing and extensively built-up areas of Wellington City. While WIAL accepts that it would be prudent to consider tsunami risk as part of any new greenfield development involving hazard sensitive activities, tsunami hazard response within existing urban areas requires a broader management response that is best managed collectively by emergency management groups such as Civil Defence. This includes through education initiatives, warning systems and emergency preparedness.
- 4.88 The Proposed Plan approach to tsunami management is cumbersome, particularly for large lifeline utilities like WIAL who have extensive emergency management plans and procedures in place, as well as CDEM requirements to remain operational during a civil defence emergency. The relevant coastal hazard policies and methods that apply to the site therefore have limited utility and will generate unnecessary resource consent requirements for matters that are otherwise already considered by WIAL during the design and development phase of activities within the zone.

*General relief sought*

4.89 WIAL therefore considers that the provisions applying to the Coastal Hazard Overlays should be required to focus entirely on coastal inundation hazards and only apply the relevant coastal tsunami hazard provisions where they relate to new greenfield development.

4.90 In addition to the above, further allowance is required for infrastructure to locate within areas subject to natural hazard risk. Many infrastructure providers have a functional or operational requirement to locate in a certain area, even if that area is subject to natural hazard risk. Such infrastructure providers natural hazard tolerance is therefore inherently different to those without the same operational and functional need to locate in such areas.

4.91 Due to Wellington Airport's proximity to the coast, both the northern and southern most extent of the runway is located within a High Coastal Hazard Overlay, both from a coastal inundation and tsunami perspective. Various operational equipment is located within this area, as is the underpass beneath the runway. This infrastructure cannot practicably be located elsewhere.

*General relief sought*

4.92 WIAL submits that, similar to the City Centre Zone, an exemption should be provided for infrastructure located within the high hazard area of the Coastal Hazard Overlay, between Lyall Bay and Moa Point.

**Earthworks**

4.93 Under the Operative District Plan, the Airport Zone is largely exempt from the Earthworks chapter. WIAL submits that it is appropriate to retain this approach in the Proposed Plan and notes that it is not aware of any issues that have arisen in the Airport Zone as a result of the operative planning framework.

4.94 The current drafting significantly departs from the Operative District Plan, the costs of which have not been adequately justified in terms of section 32 of the RMA.

4.95 Without deviating from its primary position that operative framework should be retained, WIAL submits that:

4.95.1 It is not clear the extent to which the provisions within the Earthworks chapter would apply to activities within the Airport Zone. There is an explicit note in the introductory text that the provisions of the earthworks chapter "do not apply in relation to activities provided in the Airport Zone, except for the extent specified in

EW-R20 and EW-S14". The drafting of EW-R20 is such however, that the exemption establishes a more onerous, complex and uncertain consenting pathway for earthworks within the Airport Zone than other zones and the operative planning framework.

- 4.95.2 EW-20(1) implies that only those activities listed are permitted in the zone. This includes EW-20(1)(e) which notes that any earthworks permitted by any other rule are also permitted within the Airport Zone;
- 4.95.3 There is no clear activity status for earthworks that do not comply with the permitted activity requirements specified in subparagraph EW-20(1)(e);
- 4.95.4 Despite the reference to earthworks within the Airport Zone being permitted where they comply with other provisions within the earthworks chapter, EW-20(3)(a) appears to render any earthworks that are not for the purposes of the upgrade or maintenance of existing formed roads and public accessways or for the purpose of construction, upgrade, maintenance or repair of the Airport pavement a discretionary activity.
- 4.95.5 A number of the rules that are relevant to the Airport Zone, by reference within EW-20(1)(e) are subject to the ISPP. For the reasons discussed in paragraphs 4.32 to 4.39, this is inappropriate for earthwork activities that do not relate to the implementation of the NPSUD.
- 4.95.6 The matters of discretion with respect to EW-R20(4) "Geomorphological impacts" is too broad. This matter of discretion should be refined to specify which aspects of the geomorphology require consideration or deleted; and,
- 4.95.7 The starting presumption that all discretionary earthwork activities within with the Airport Zone will be publicly notified is inappropriate and unjustified.

*General relief sought*

- 4.96 WIAL submits that the earthwork provisions require substantial rework insofar as they relate to the Airport Zone and submits that such rework should be under a traditional Schedule 1 RMA process.

**Lighting**

- 4.97 The introductory section of this chapter of the Proposed Plan exempts a number of activities from the rules and standards it contains. This includes aviation lighting which WIAL supports as this is managed primarily for aircraft safety purposes via the Civil Aviation Authority.

- 4.98 Poorly managed lighting can also pose a significant safety risk to aircraft on approach and take off. It is therefore important that the Proposed Plan adequately protects aircraft from such potential effects.
- 4.99 As currently drafted, if an applicant requires resource consent for lighting reasons, a restricted discretionary resource consent application is required. The objectives and policies within this chapter primarily relate to the management of amenity effects or lighting for the safety of people on the ground. Without any policy dissuasion for activities that could have an adverse effect on aircraft safety, it would be difficult for a resource consent to be declined even if the activity could have adverse safety effects on aircraft.

*General relief sought*

4.100 Further amendments are required to Policy LIGHT-P2, the matters of discretion and the notification parameters within Rule LIGHT-R2.1 to address the above described matters.

4.101 WIAL also submits that the lighting standards will generally avoid the establishment of lighting and/or glare effects that could give rise to adverse effects on aircraft safety. WIAL therefore supports the assessment criteria contained within Standards LIGHT S3, S4 and S6 which seek to ensure that when a standard (as referenced) is infringed “The impact of lighting on aircraft safety or the safe and efficient functioning of the Airport” is considered.

*General relief sought*

4.102 WIAL submits however, that the term “impact” should be replaced with “effect”.

**Signage**

4.103 Signage is an important and commonly found feature within any airport environment. It assists with both airside and landside airport operations, and assists with the safe and efficient movement of people, aircraft and traffic through the airport’s airside and landside facilities. Signage also provides an opportunity to showcase the activities or services on offer within the district and region, which has both social and economic benefits for the wider community. WIAL therefore submits that it is important that the Proposed Plan recognises and provides for signage within the airport environment.

4.104 While the Signage Chapter of the Proposed Plan has sought to recognise and provide for signage within the Airport Zone, as per Policy SIGN-P6, the planning methods that follow are repetitive and often more onerous than other (arguably more sensitive) zones within the District. There are also a number of references to WIAL’s designation, which is inappropriate as the Signage chapter needs to be able to stand on its own.

*General relief sought*

- 4.105 WIAL proposes a number of amendments to the signage provisions, insofar as they relate to the Airport Zone to ensure they appropriately recognise and provide for the matters raised above.
- 4.106 WIAL supports the provisions contained within the signage provisions that require consideration of the potential effects of signage of the safety of aircraft. Similar to the comments made with respect to lighting (refer to paragraph 4.102), the relevant assessment criteria should refer to the effects of the signage, rather than the “impacts of signage”.

**Transport**

- 4.107 Airports are inherently busy environments that facilitate the movement of large numbers of people to and from the District. A range of land use activities can be found within the Airport environs that support this function. A number of policies and methods within the Tūnuku – Transport chapter relating to trip generation are therefore problematic and difficult to implement in an Airport setting. For example:
- 4.107.1 It is not clear how some of the methods will be applied and whether it is based on cumulative activities within a site or based on individual activities.
- 4.107.2 As the Airport already generates a large volume of traffic, a consent would arguably be triggered for every new activity established, irrespective of the nature or scale of the activity.
- 4.107.3 Airports facilitate the movement of people to and from the District. Many of the activities undertaken at airports are purely intended to support this function and provide services for passengers, staff and “meeters and greeters”. They are therefore not vehicle generating activities in themselves. For the purposes of implementing the relevant trip generation methods, it would be difficult to distinguish between what is a facilitating and what is a generating activity.
- 4.107.4 WIAL, as the owner and operator of the airport, facilitates different transportation modes for people moving to and from the Airport, including bus services, taxis, shuttles, rental vehicles, app based pick up options and car sharing. Cycleways and footpaths are also available for walking and cycling, including the underpass under the runway.



*General relief sought*

- 4.108 Against the above background, WIAL submits that the trip generation provisions and standards should not apply within the Airport Zone, as the management of people to and from the airport and its environs is a role that WIAL oversees and accounts for as its role as airport operator.

**Other land uses near airports**

- 4.109 The Civil Aviation Authority of New Zealand (“CAA”) produces guidance on land use activities at or near aerodromes.<sup>10</sup> The following activities are of particular concern to Airport Operators where located within close proximity to an airport due to their potential bird attracting properties:

- 4.109.1 Refuse dumps and landfills;
- 4.109.2 Sewage Treatment and Disposal (outdoor);
- 4.109.3 Certain agricultural activities (cattle feed lots, pig farming);
- 4.109.4 Fish Processing;
- 4.109.5 Artificial and natural lakes/waterbodies; and
- 4.109.6 Abattoirs and freezing works.

*General relief sought*

- 4.110 In order to protect the safety of aircraft and their passengers, WIAL submits that a bespoke framework should be established for the above activities where located within a fixed distance of the Airport to ensure a consenting pathway is available that requires appropriate consideration of potential increase in bird strike risk posed by the aforementioned activities. This could be achieved by a narrowly framed restricted discretionary activity that restricts discretion to the potential effects of aircraft safety, including the potential risk of bird strike.

**Obstacle Limitation Surface Designation**

- 4.111 To ensure that WIAL can continue to meet its obligations under Civil Aviation Regulations and provide a safe operational environment for aircraft approaching and departing Wellington Airport, the obstacle limitation surfaces designation requirements for the Airport are being rolled over into the Proposed Plan, subject to modifications.

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<sup>10</sup> [https://www.aviation.govt.nz/assets/airspace-and-aerodromes/guidance\\_material\\_land-use-aerodromes.pdf](https://www.aviation.govt.nz/assets/airspace-and-aerodromes/guidance_material_land-use-aerodromes.pdf).

- 4.112 In accordance with section 176 of the Act, the designation conditions should be sufficient to control the penetration by buildings and structures into these surfaces. Experience dictates however, that the statutory obligation to seek WIAL's written approval for proposals that will penetrate one of these surfaces (under section 176 of the Act) is often overlooked when considering applications for resource consent.

*General relief sought*

- 4.113 Due to the complexity of the obstacle limitation surface designation and the terrain surrounding Wellington Airport, it would be difficult to establish height controls that reflect the limitations of the obstacle limitation surface. Rather, WIAL submits that the Proposed Plan should include reference to the obstacle limitation surface to draw plan users attention to the designation requirements, to ensure that the designation is able to serve its important purpose.

**Conclusion**

- 4.114 WIAL considers that in the absence of amendments to the Proposed Plan to address and give effect to the above submission points and those set out in Annexure A and Annexure B:
- 4.114.1 The Proposed Plan will not promote the sustainable management or efficient use and development of natural and physical resources;
  - 4.114.2 The Proposed Plan is not the most appropriate way to achieve the purpose of the RMA, particularly when having regard to the efficiency and effectiveness of the provisions relative to other means;
  - 4.114.3 The Proposed Plan does not appropriately fulfil the requirements of section 32 of the RMA, particularly in terms of evaluation the costs of implementing the provisions under section 32(2)(a); and
  - 4.114.4 The Proposed Plan does not represent sound resource management practice particularly with respect to planning for Wellington International Airport, as regionally significant infrastructure.

**5. WIAL seeks the following decision from the local authority:**

- 5.1 That the submission points contained in Section 4 above and Annexure A and B which are attached to and form part of this submission be accepted, or that the Proposed Plan be amended in a similar or such other way as may be appropriate to address WIAL's submission points; and

5.2 Any alternative, consequential changes, amendments or decisions that may be required to give effect to the matters raised in WIAL's submission.

**6 WIAL wishes to be heard in support of its submission.**

**7 If others make a similar submission, WIAL will consider presenting a joint case with them at a hearing.**

Signature:



Kirsty O'Sullivan

Date: 12 September 2022

Electronic address for Service: [kirsty.osullivan@mitchelldaysh.co.nz](mailto:kirsty.osullivan@mitchelldaysh.co.nz)

Telephone: 021 242 5453

Postal address (or alternative method of service under section 352 of the Act):

Mitchell Daysh Limited

PO Box 489

Dunedin 9054

Contact person: Kirsty O'Sullivan

ANNEXURE A – Wellington International Airport Limited submissions on the Proposed Wellington City Council District Plan

Text highlighted with underlining (*example*) represents proposed insertions

Text highlighted with strikethrough (*example*) represents proposed deletions

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<b>WĀHANGA 1 PART 1 - HE WHAKATAKINGA ME NGĀ KAUPAPA KŌRERO INTRODUCTION AND GENERAL PROVISIONS</b>			
<b>TE ANGA WHĀNUI - GENERAL APPROACH</b>			
<b>Using the District Plan</b>			
Using the District Plan	Support in Part	<p>It is appropriate for the District Plan to provide explanatory information regarding the use and interpretation of the District Plan.</p> <p>WIAL submits that this explanatory text should also set out the requirements with respect to designations, and the need for approval to be obtained from the requiring authority if an activity will potentially prevent or hinder a public work or project or work to which the designation relates.</p>	<p>Amend the explanatory text as follows:</p> <p>....</p> <p><i>As outlined in the Step by step guide for using the District Plan, users should first look at the planning map to identify what zones, overlays, features and/or designations apply to your property or area. <u>If a designation applies to your property, you may be required to obtain the written consent of the relevant requiring authority before your activity can proceed.</u></i></p>
<b>HE WHAKAMĀRAMATANGA – INTERPRETATION</b>			
<b>Ngā Tautuhinga - Definitions</b>			
<p><b>AIR NOISE OVERLAY</b></p> <p>means an area defined by planning maps to show land subject to development restrictions due to potential noise effects from Wellington International Airport. The Air Noise Overlay comprises:</p> <p>a. Inner Air Noise Overlay – being properties lying between the Airport and a modelled 65 dBA contour, fitted to property boundaries.</p> <p>b. Outer Air Noise Overlay – being properties lying between the 65 dBA contour and a modelled 60 dBA contour, fitted to property boundaries.</p> <p>c. Air Noise Boundary – being a line shown on district plan maps used for controlling the emission of noise from aircraft operations at Wellington International Airport measured using rolling 90 day average 24 hour night-weighted sound exposure in accordance with NZS 6805:1992 <i>Airport noise management and land use planning</i>. The location of the Air Noise Boundary is based on the modelled L<sub>dn</sub> 65 dBA contour and therefore corresponds to the outer extent of the Inner Air Noise Overlay.</p> <p>Note: The Air Noise Overlay is applied to all parts of a property, regardless of whether the modelled contour affects less than the entire property.</p>	Support in part	<p>The definition of Air Noise Overlay conflates the two functions of the aircraft noise boundaries that relate to Wellington International Airport. That is:</p> <ol style="list-style-type: none"> <li>the Air Noise Boundary and 60db Ldn noise boundaries are used as a trigger for specific land use management requirements; and,</li> <li>the Air Noise Boundary is used as a compliance boundary for aircraft noise generated at Wellington International Airport.</li> </ol> <p>The chapeau of the definition focuses on the latter.</p> <p>The terms 'Air Noise Boundary' and '60dB Ldn noise boundary' are well established and widely used throughout New Zealand with respect to the aircraft noise and land use management obligations surrounding airports. The term 'Air Noise Boundary' is also consistent with NZS6805, the Operative District Plan and WIAL's communications regarding their 'Quieter Homes' programme.</p>	<p>Delete the definition of Air Noise Overlay and replace with two definitions as follows:</p> <p><b><u>AIR NOISE BOUNDARY</u></b></p> <p><i><u>Means the boundary shown on the district plan maps, the location of which is based on predicted day/night sound levels of Ldn 65dB from future airport operations at Wellington International Airport.</u></i></p> <p><b><u>60db Ldn NOISE BOUNDARY</u></b></p> <p><i><u>Means the boundary shown the district plan maps, the location of which is based on predicted day/night sound levels of Ldn 60dB from future airport operations at Wellington International Airport.</u></i></p>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p><b>AIRPORT PURPOSES</b></p> <p>means the transport of people and cargo by aircraft and any ancillary activity or service that provides essential support to that function. Where a designation of the airport requiring authority exists, it additionally means the activities of the requiring authority described in the Purpose Statement or conditions of that designation.</p>		<p>For the reasons set out in paragraphs 4.56 to 4.61 of the covering submission, further amendments are required to this definition.</p> <p>It is also inappropriate for the definition to reference the designation as any subsequent alterations to the designation may result in the breadth of activities captured by this definition and the associated methods also being updated without going through the appropriate Schedule 1 process.</p>	<p>Delete the definition or amend as follows:</p> <p><i>Airport Purposes Activities</i></p> <p><del>means the transport of people and cargo by aircraft and any ancillary activity or service that provides essential support to that function. Where a designation of the airport requiring authority exists, it additionally means the activities of the requiring authority described in the Purpose Statement or conditions of that designation.</del></p> <p><u>means any activity, wholly or partly, relating to the landing, departure and movement of aircraft and aircraft passengers, including but not limited to:</u></p> <ul style="list-style-type: none"> <li>• <u>ground-based infrastructure, plant and machinery necessary to assist aircraft operations;</u></li> <li>• <u>Runways, taxiways, aprons and other aircraft movement areas;</u></li> <li>• <u>Aircraft rescue training facilities and emergency services;</u></li> <li>• <u>Establishment, operation and use of runways, taxiways, aprons, and other aircraft movement areas;</u></li> <li>• <u>Structures to mitigate against the impact of natural hazards;</u></li> <li>• <u>Vehicle parking and storage, rental vehicle facilities, vehicle valet activities, and public transport facilities;</u></li> <li>• <u>Terminal buildings, hangars, control towers, rescue and fire facilities, navigation and safety aids, lighting and telecommunication facilities, car parking, maintenance and service facilities, catering facilities, freight facilities, quarantine and incineration facilities, border control and immigration facilities, medical facilities, fuel storage and fuelling facilities, facilities for the handling and storage of hazardous substances;</u></li> <li>• <u>Associated administration and office activities;</u></li> <li>• <u>Ancillary activities, buildings and structures related to the above; and</u></li> <li>• <u>Servicing, testing and maintenance activities related to the above.</u></li> </ul>
<p><b>AIRPORT RELATED ACTIVITIES</b></p> <p>means third party ancillary activities or services that provide support to the airport. This includes:</p> <ol style="list-style-type: none"> <li>a. land transport activities;</li> <li>b. buildings and structures;</li> <li>c. servicing and infrastructure;</li> <li>d. police stations, fire stations, and medical facilities;</li> <li>e. education facilities provided they serve an aviation related purpose;</li> </ol>	Oppose	<p>For the reasons set out in paragraphs 4.56 to 4.61 of the covering submission, further amendments are required to this definition.</p> <p>It is also unclear what is meant by “third parties”. The Airport Zone should stand alone, independent of the designation. This reference should therefore be deleted.</p>	<p>Delete the definition or amend as follows:</p> <p><b>AIRPORT RELATED ACTIVITIES</b></p> <p><del>means third party ancillary activities or services that provide support to the airport, including but not limited to. :</del></p> <ol style="list-style-type: none"> <li>a. land transport activities;</li> <li>b. buildings and structures;</li> <li>c. servicing and infrastructure;</li> </ol>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>f. retail and commercial services and industry associated with the needs of Airport passengers, visitors and employees and/or aircraft movements and Airport businesses; and</p> <p>g. administrative offices, provided they are ancillary to an airport or airport related activity.</p>			<p>d. <del>police stations, fire stations, and medical facilities emergency service facilities;</del></p> <p>e. <del>educational facilities provided they serve an aviation related purpose;</del></p> <p>f. <del>retail and commercial services and industrial activity associated with the needs of Airport passengers, visitors and employees and/or aircraft movements and Airport businesses;</del></p> <p>g. <del>hotel / visitor accommodation, conference facilities and associated services; and</del></p> <p>h. <del>administrative offices, provided they are ancillary to an airport or airport related activity.</del></p>
<p><b>COASTAL ENVIRONMENT</b></p> <p>means the area of the coast which is identified on the planning maps.</p>	Oppose	<p>WIAL acknowledges that the margins of its site at Lyall Bay and Evans Bay are within the coastal environment, as defined by the NZCPS and the Greater Wellington Regional Policy Statement. However both margins are heavily modified for airport activities and roading infrastructure.</p> <p>WIAL is also concerned that the complex relationship between the Coastal Environment, Infrastructure and Airport Zone provisions creates an inefficient consenting pathway for airport and airport related activities.</p>	<p>Delete the Airport Zone within the Coastal Environment overlay;</p> <p>Or as a less favoured alternative,</p> <p>Retain the mapped extent of the coastal environment, as referred to in this definition, only if the relationship and consenting pathway for activities within the coastal environment (insofar as they relate to activities undertaken with an Airport purpose) are enabled, streamlined and reflective of the existing environment.</p>
<p><b>NOISE SENSITIVE ACTIVITY</b></p> <p>means any lawfully established:</p> <p>a. residential activity, including activity in visitor accommodation or retirement accommodation;</p> <p>b. educational activity;</p> <p>c. health care activity;</p> <p>d. congregation within any place of worship; and</p> <p>e. activity at a marae.</p>	Oppose in part	<p>The definition of noise sensitive activity does not adequately capture the range of activities typically considered to be sensitive to aircraft noise.</p>	<p>Amend the definition as follows:</p> <p><i>means any lawfully established:</i></p> <p>a. residential activity, including activity in visitor accommodation or retirement accommodation;</p> <p>b. educational activity;</p> <p>c. health care <del>and hospital activities</del> activity;</p> <p>d. congregation within any place of worship; and</p> <p>e. activity at a marae.</p>
<p><b>NON-AIRPORT ACTIVITY</b></p> <p>means an activity within the Airport Zone which is not for "Airport Purposes" or an "Airport Related Activity".</p>	Support in part	<p>The definition requires updating to reflect WIAL's proposed replacement of the term "Airport Purposes" with "Airport Activity".</p>	<p>Delete the definition or amend the definition as follows:</p> <p><i>means an activity within the Airport Zone which is not for "Airport <del>Activity Purposes</del>" or an "Airport Related Activity".</i></p>
<p><b>OBSTACLE LIMITATION SURFACE</b></p> <p>means airspace defined around an aerodrome that enables operations at the aerodrome to be conducted safely and that prevents the aerodrome from becoming unusable by the growth of obstacles around the aerodrome. Extending out from all edges of the runway, the OLS includes contiguous transitional, horizontal, conical, and approach / take off surfaces.</p>	Oppose	<p>WIAL is not clear where this term is used within the Proposed Plan other than in the text of the Designation. Furthermore, WIAL is concerned that seeking to define this term in this manner oversimplifies the obstacle limitation surfaces described in Designation WIAL1.</p>	<p>Delete the definition.</p> <p>Or, as a less favoured alternative:</p> <p>Refer to the relevant detailed provisions of Designation WIAL1.</p>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p><b>REGIONALLY SIGNIFICANT INFRASTRUCTURE</b> means regionally significant infrastructure including:</p> <ul style="list-style-type: none"> <li>a. pipelines for the distribution or transmission of natural or manufactured gas or petroleum;</li> <li>b. facilities and structures necessary for the operation of telecommunications and radiocommunications networks operated by network utility operators;</li> <li>c. the National Grid;</li> <li>d. facilities for the generation and/or transmission of electricity where it is supplied to the National Grid and/or the local distribution network;</li> <li>e. the local authority water supply network and water treatment plants;</li> <li>f. the local authority wastewater and stormwater networks, systems and wastewater treatment plants;</li> <li>g. the Strategic Transport Network, as identified in the operative Wellington Regional Land Transport Plan;</li> <li>h. Wellington City bus terminal and Wellington Railway Station terminus;</li> <li>i. Wellington International Airport; and</li> <li>j. Commercial Port Areas within Wellington Harbour and adjacent land used in association with the movement of cargo and passengers and including bulk fuel supply infrastructure, and storage tanks for bulk liquids, and associated wharflines</li> </ul>	Support	Insofar as it relates to Wellington International Airport, the definition is consistent with the Greater Wellington Regional Policy Statement definition of regionally significant infrastructure.	Retain as notified.
<p><b>REVERSE SENSITIVITY</b> means the potential for the operation of an existing lawfully established activity to be compromised, constrained or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived environmental effects generated by the existing activity.</p>	Support	The definition provides a consistent interpretation and application of the concept of reverse sensitivity.	Retain as notified.
<p><b>TEMPORARY ACTIVITY</b> means any short term activities that are primarily held outdoors, on public or private land and that are intended to have a limited duration and incidence. This includes non-permanent ancillary buildings and structures associated with temporary activities.</p> <p>Temporary activities include:</p> <ul style="list-style-type: none"> <li>1. Festivals, and exhibitions;</li> <li>2. Fairs, carnivals and temporary markets;</li> <li>3. Parades and ceremonies;</li> <li>4. Council organised public firework displays;</li> <li>5. Any short-term filming;</li> <li>6. Public meetings;</li> <li>7. Sporting and recreation events and associated temporary parking; and</li> <li>8. Site offices for construction projects.</li> </ul>	Oppose	<p>The definition does not currently define the time parameters of a “temporary” activity.</p> <p>WIAL submits that an appropriate timeframe should be put on temporary activities. WIAL also submits that cramage and building wraps should be included in the definition of “temporary activity”.</p>	<p>Amend the definition to include:</p> <ul style="list-style-type: none"> <li>1. A timeframe that provides clarity around a “short term” activity; and,</li> <li>2. Cramage and building wrap as a specific listed matter.</li> </ul>
<p><b>UPGRADING</b> as it applies to infrastructure, means the improvement or increase in carrying capacity, operational efficiency, security or safety of existing infrastructure, but excludes maintenance, repair and renewal.</p>	Oppose	The definition requires broadening to encapsulate the range of activities that are involved with the upgrade of infrastructure.	<p>Delete the definition and replace with the following:</p> <p><i>As it applies to infrastructure, means the use and development to bring existing structures or facilities up to current standards or to improve the functional characteristics of structures or facilities, provided that the effects of the activity are the same or similar in character, intensity and scale as the existing structure and activity.</i></p>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p><b>WELLINGTON AIR NOISE MANAGEMENT COMMITTEE (WANMC)</b></p> <p>means the body primarily responsible for the NMP, being a partnership between the Airport, aircraft operators, and the local community. Wellington City Council contributes to the WANMC, including through providing updated noise exposure reports from the noise monitoring system.</p>	Oppose	<p>For the reasons set out in paragraphs 4.56 to 4.74, it is not necessary or appropriate to duplicate the aircraft noise management obligations imposed on WIAL as the requiring authority for WIAL4 in the Operative and Proposed Plan.</p> <p>Furthermore, "NMP" nor "WANMC" are terms used in the designation, therefore it is not clear when this committee would be required.</p>	Delete the definition.
<b>WĀHANGA 2 PART 2 - NGĀ KAUPAPA O TE ROHE WHĀNUI DISTRICT WIDE MATTERS</b>			
<b>TE AHUNGA Ā-RAUTAKI - STRATEGIC DIRECTION</b>			
<b>Te Ohaoha, Mōhiotanga me te Taurikura ā-Tāone - City Economy, Knowledge and Prosperity</b>			
<p><b>CEKP-O1</b></p> <p>A range of commercial and mixed use environments are provided for in appropriate locations across the City to:</p> <ol style="list-style-type: none"> <li>Promote a diverse economy;</li> <li>Support innovation and changes in technology; and</li> <li>Facilitate alternative ways of working.</li> </ol>	Support in part	As described in paragraphs 4.11 to 4.15 and 4.20 to 4.24 of the covering submission, modern airports now demand a mix of land uses that either directly service the aviation sector, or feed directly off it. Focus is also increasingly being placed on improving airport revenue to offset operational costs.	Retain Objective CEKP-O1 as notified.
<p><b>CEKP-O3</b></p> <p>Mixed use and industrial areas outside of Centres:</p> <ol style="list-style-type: none"> <li>Complement the hierarchy of Centres;</li> <li>Provide for activities that are incompatible with other Centres-based activities; and</li> <li>Support large scale industrial and service-based activities that serve the needs of the City and wider region.</li> </ol>	Support	While it is conceivable that consideration of such activities is contemplated by Objectives CEKP-O1 and CEKP-O3 to O4, WIAL submits that the relevance of these objectives to the Airport Zone should be clearly stated.	<p>Delete the objective or amend as follows:</p> <p><i>Mixed use and industrial areas outside of Centres, including within the Airport Zone:</i></p> <ol style="list-style-type: none"> <li>Complement the hierarchy of Centres;</li> <li>Provide for activities that are incompatible with other Centres-based activities; and</li> <li>Support large scale industrial and service-based activities that serve the needs of the City, the Airport and wider region.</li> </ol>
<p><b>CEKP-O4</b></p> <p>Land within the City Centre, Centres, Mixed Use, and General Industrial Zones is protected from activities that are incompatible with the purpose of the zone or have the potential to undermine the City's hierarchy of centres.</p>	Oppose in part		<p>Delete the objective or amend as follows:</p> <p><i>Land within the City Centre, Centres, Mixed Use, and General Industrial Zones (including within the Airport Zone) is protected from activities that are incompatible with the purpose of the zone or have the potential to undermine the City's hierarchy of centres.</i></p>
<b>HHSASMW – Ngā Wāhi Aronehe me ngā Wāhi Tapu o te Mana Whenua - Historic Heritage and Sites and Areas of Significance to Mana Whenua</b>			
<p><b>HHSASM-O3</b></p> <p>The cultural, spiritual and /or historical values associated with sites and area of significance to Māori are protected.</p>	Support in part	As noted in paragraphs 4.81 to 4.84 of the covering submission, WIAL does not oppose in principle areas of significance to Māori being identified .	Delete the provisions, or amend the relevant provisions so that the objectives, policies and methods that give effect to these objectives provide clear guidance around the land use management expectations within these



PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<b>HHSASM-O4</b> Sites of significance to Māori are identified and mana whenua's relationships, interests and associations with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga of significance are recognised and provided for.	Support in part	WIAL submits however, that the objectives and policies that seek to give effect to these objectives provide clear guidance around the land use management expectations within these areas, particularly where the site of significance has been heavily modified.	areas, particularly where the site has been heavily modified.  Amend NE-O1 as follows:  <i>The natural character, landscapes and features, and ecosystems that contribute to the City's identity and have significance for mana whenua as kaitiaki are identified, recognised, <del>protected</del> maintained and, where possible, enhanced.</i>
<b>NE-O1</b> The natural character, landscapes and features, and ecosystems that contribute to the City's identity and have significance for mana whenua as kaitiaki are identified, recognised, protected, and, where possible, enhanced.	Support in part		
<b>SCAI – Ngā Rawa me te Tūāhanga ā-Rautaki o te Tāone - Strategic City Assets and Infrastructure</b>			
<b>Introduction</b> ...The City also hosts some major infrastructure facilities, such as the Commercial Port and Wellington International Airport, which not only serve the immediate City, but also play a major role at the regional and national scale. These assets are defined as 'regionally significant infrastructure' under the Regional Policy Statement and must be provided for and their benefits recognised. There are also likely to be major transport projects for the City in the coming years that will need to be provided for. The District Plan must enable these activities to continue to establish, operate and function.	Support	WIAL supports the recognition of Wellington International Airport, as regionally significant infrastructure, within the Introduction of the "Strategic City Assets and Infrastructure" section of the District Plan.	Retain the Introduction as notified.
<b>SCA-O1</b> Infrastructure is established, operated, maintained, and upgraded in Wellington City so that: 1. The social, economic, cultural, and environmental benefits of this infrastructure are recognised; 2. The City is able to function safely, efficiently and effectively; 3. The infrastructure network is resilient in the long term; and 4. Future growth and development is enabled and can be sufficiently serviced.	Support	As set out in paragraphs 4.11 to 4.15 and 4.20 to 4.24 of the covering submission, it is appropriate for the strategic objectives to recognise the significance and importance of regionally significant infrastructure. WIAL therefore supports SCA-O1 and SCA O2.  As set out in paragraphs 4.11 to 4.15 of the covering submission, it is also of significant importance to the ongoing operation and protection of regionally significant infrastructure, such as airports, that adverse reverse sensitivity effects are avoided. WIAL therefore supports the inclusion of SCA-O6.	That SCA-O1, SCA-O4, SCA-O5 and SCA-O6 are retained as notified.
<b>SCA-O4</b> Regionally significant infrastructure is provided for in appropriate locations and the social, cultural economic, and environmental benefits of this infrastructure are recognised and provided for.	Support		
<b>SCA-O5</b> The adverse effects of infrastructure are managed having regard to the economic, social, environmental and cultural benefits, and the technical and operational needs of infrastructure.	Support		
<b>SCA-O6</b> Infrastructure operates efficiently and safely and is protected from incompatible development and activities that may create reverse sensitivity effects	Support		
<b>Te Whakaukatanga, Te Manawaroa me te Āhuarangi Hurihuri - Sustainability, Resilience and Climate Change</b>			
<b>SRCC-O1</b> The City's built environment supports: 1. A net reduction in the City's carbon emissions by 2050; 2. More energy efficient buildings; 3. An increase in the use of renewable energy sources; and 4. Healthy functioning of native ecosystems and natural processes.	Support	For the reasons set out in paragraphs 4.25 to 4.29 of the covering submission, WIAL supports the overall intent of SRCC-O1, with particular focus on the increase in renewable energy sources.	Retain SRCC-O1(3) as notified.

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p><b>*SRCC-02</b></p> <p>Risks from natural hazards are:</p> <ol style="list-style-type: none"> <li>1. Identified and understood;</li> <li>2. Planned for through adaptation and mitigation measures to ensure the risks are low; and</li> <li>3. Avoided where the risks are intolerable.</li> </ol>		<p>As set out in paragraphs 4.85 to 4.89, intolerable risk to natural hazards is a relative and subjective concept.</p> <p>Given the subjectiveness of the concept of intolerable risk and the strong directive set out in sub-paragraph 3, Objective SRCC-02 needs to recognise that in the case of regionally significant infrastructure, functional or operational requirements of that infrastructure may necessitate locating in an area that is subject to natural hazard risk.</p>	<p>Delete the objective or amend as follows:</p> <p><i>Risks from natural hazards are:</i></p> <ol style="list-style-type: none"> <li>1. <i>Identified and understood;</i></li> <li>2. <i>Planned for through adaptation and mitigation measures to ensure the risks are low;</i></li> <li>3. <i><u>Managed to the extent practicable where an activity has an operational or functional need to locate within an identified natural hazard area;</u> and</i></li> <li>4. <i><u>Except as provided for in 3, avoided</u> <del>Avoided</del> where the risks are intolerable.</i></li> </ol>
<p><b>Te Āhua Tāone me te Whanaketanga - Urban Form and Development</b></p>			
<p><b>UFD-02</b></p> <p>Urban development in identified greenfield areas:</p> <ol style="list-style-type: none"> <li>1. Is environmentally and ecologically sensitive;</li> <li>2. Makes efficient use of land;</li> <li>3. Is well-connected to the public transport network, and</li> <li>4. Reinforces the City's compact urban form.</li> </ol>		<p>Incompatible urban development, particularly greenfield development, has the potential to constrain and/or curtail the operation, development and use of regionally significant infrastructure.</p> <p>For the reasons set out in paragraphs 4.11 to 4.15 of the covering submission, urban development should not be enabled or encouraged where it has the potential to adversely affect the operations of the Airport.</p>	<p>Delete the objective or amend as follows:</p> <p><i>Urban development in identified greenfield areas:</i></p> <ol style="list-style-type: none"> <li>1. <i>Is environmentally and ecologically sensitive;</i></li> <li>2. <i>Makes efficient use of land;</i></li> <li>3. <i>Is well-connected to the public transport network, <del>and</del></i></li> <li>4. <i>Reinforces the City's compact urban form, <u>and</u></i></li> <li>5. <i><u>Is compatible with surrounding regionally significant infrastructure.</u></i></li> </ol>
<p><b>UFD-03</b></p> <p>Medium to high density and assisted housing developments are located in areas that are:</p> <ol style="list-style-type: none"> <li>1. Connected to the transport network and served by multi-modal transport options; or</li> <li>2. Within or near a Centre Zone or other area with many employment opportunities; and</li> <li>3. Served by public open space and other social infrastructure.</li> </ol>	Oppose	<p>Incompatible medium and high density housing development, has the potential to constrain and/or curtail the operation, development and use of regionally significant infrastructure.</p> <p>For the reasons set out in paragraphs 4.11 to 4.15 of the covering submission, urban development should not be enabled or encouraged where it has the potential to adversely affect the operations of the Airport.</p>	<p>Delete the objective or amend as follows:</p> <p><i>Medium to high density and assisted housing developments are located in areas that are:</i></p> <ol style="list-style-type: none"> <li>1. <i>Connected to the transport network and served by multi-modal transport options; or</i></li> <li>2. <i>Within or near a Centre Zone or other area with many employment opportunities; <del>and</del></i></li> <li>3. <i>Served by public open space and other social infrastructure.</i></li> <li>4. <i><u>Compatible with surrounding regionally significant infrastructure.</u></i></li> </ol>
<p><b>UFD-07</b></p> <p>Development supports the creation of a liveable, well-functioning urban environment that enables all people and communities to provide for their social, economic, environmental, and cultural wellbeing, and for their health and safety now and into the future.</p> <p>Development will achieve this by:</p> <ol style="list-style-type: none"> <li>1. Being accessible and well-designed;</li> <li>2. Supporting sustainable travel choices, including active and micromobility modes;</li> <li>3. Being serviced by the necessary infrastructure appropriate to the intensity, scale and function of the development and urban environment;</li> <li>4. Being socially inclusive;</li> <li>5. Being ecologically sensitive;</li> </ol>	Oppose	<p>Poorly sited noise sensitive activity has the potential to constrain and/or curtail the operation, development and use of regionally significant infrastructure.</p> <p>For the reasons set out in paragraphs 4.11 to 4.15 of the covering submission, such activities should not be enabled or encouraged where it has the potential to adversely affect the operations of the Airport.</p>	<p>Delete the objective or amend as follows:</p> <p><i>Development supports the creation of a liveable, well-functioning urban environment that enables all people and communities to provide for their social, economic, environmental, and cultural wellbeing, and for their health and safety now and into the future.</i></p> <p><i>Development will achieve this by:</i></p> <ol style="list-style-type: none"> <li>1. <i>Being accessible and well-designed;</i></li> <li>2. <i>...</i></li> </ol>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>6. Respecting of the City's historic heritage;</p> <p>7. Providing for community well-being; and</p> <p>8. Adapting over time and being responsive to an evolving, more intensive surrounding context.</p>			<p>9. <u>Avoiding the effects of reverse sensitivity on Regionally Significant Infrastructure.</u></p>
<b>PŪNGAO, TŪĀHANGA ME TE TŪNUKU - ENERGY, INFRASTRUCTURE AND TRANSPORT</b>			
<b>Tūāhanga - Infrastructure</b>			
<p><b>Introduction</b></p> <p>....</p> <p>The provisions within this chapter apply on a City-wide basis. As such the rules in the zone chapters and earthworks chapter do not apply to infrastructure unless specifically stated within an infrastructure rule or standard. Likewise, the rules in the overlay chapters do not apply to infrastructure. Instead, infrastructure sub-chapters address the requirements particular to the overlays as follows:</p> <ul style="list-style-type: none"> <li>• <a href="#">INF-CE</a> (Coastal Environment and Natural Character);</li> <li>• <a href="#">INF-ECO</a> (Significant Natural Areas);</li> <li>• <a href="#">INF-NFL</a> (Outstanding Natural Landscapes, Outstanding Natural Features, Special Amenity Landscapes, Ridgelines and Hilltops);</li> <li>• <a href="#">INF-NH</a> (Natural Hazards); and</li> <li>• <a href="#">INF-OL</a> (Other Overlays).</li> </ul> <p>The provisions of the overlay sub-chapters apply in addition to the provisions of this chapter. In the case of conflict with any provisions of this chapter and a sub-chapter, the provisions of the sub-chapter will prevail.</p> <p>Further, the Resource Management Act, and therefore the District Plan, share the same broad definition of 'infrastructure', which includes airport and port facilities. Notwithstanding that, this Infrastructure Chapter does not apply to activities that fall under the definition of airport purposes or airport related activities (which are dealt with in the <a href="#">Airport Zone chapter</a>), or the definition of port or operational port activities (which are dealt with in the <a href="#">Port Zone chapter</a>). Any infrastructure in the airport or port areas that is inconsistent with those definitions is managed by the provisions in this Infrastructure Chapter.</p>		<p>As noted in the Introduction, airports and airport related activities are captured by the RMA definition of "infrastructure". As such activities are generally provided for within the Airport Zone, there is potential for airport and airport related activities to be inadvertently captured by the provisions within this chapter, creating an inappropriate duplication of control.</p> <p>While WIAL supports the general intent of the exemption described in the text of the Introduction, the exemption should only apply to airport and airport related activities (i.e. the methods in the Airport Zone.</p> <p>It remains appropriate for the Infrastructure chapter and associated provisions to otherwise apply to WIAL's activities that may occur outside of the Airport Zone or infrastructure that is not provided for by the Airport Zone provisions.</p> <p>It is also not clear whether the introductory text to this chapter also applies to the infrastructure specific overlay sub-chapters. For clarity, further amendments are proposed to the introductory text to ensure that the same exemption for Airport and Airport Related Activities applies to the sub-chapters.</p>	<p>Amend the introduction as follows:</p> <p><i>Further, the Resource Management Act, and therefore the District Plan, share the same broad definition of 'infrastructure', which includes airport and port facilities.</i></p> <p><i>Notwithstanding that, <del>this</del> the rules within the Infrastructure Chapter (including the infrastructure specific overlay sub-chapters) does not apply to activities that fall under the definition of airport-activities purposes or airport related activities located within the Airport Zone (which are dealt with in the Airport Zone chapter), or the definition of port or operational port activities (which are dealt with in the Port Zone chapter). Any infrastructure in the airport or port areas that is inconsistent with those definitions is managed by the provisions in this Infrastructure Chapter.</i></p>
<p><b>Other relevant District Plan provisions</b></p> <p>It is important to note that in addition to the provisions in this chapter, the following Part 2: District-Wide chapters may also be of relevance, including:</p> <ul style="list-style-type: none"> <li>• <a href="#">Subdivision</a> - The Subdivision Chapter contains provisions which manage subdivision of land.</li> <li>• <a href="#">Light and glare</a> - The Light Chapter contains specific provisions relating to light spill and the management of effects on residential areas.</li> <li>• <a href="#">Noise</a> - The Noise Chapter contains specific controls in relation to noise, including effects standards <a href="#">NOISE-S1</a> (maximum noise levels).</li> <li>• <a href="#">Signs</a> - The Signs Chapter contains specific controls in relation to signage, including official signs, the effects of signs on road safety, and third party signage.</li> <li>• <a href="#">Contaminated land</a> - The Contaminated Land Chapter manages the use and development of Contaminated Land or potentially Contaminated Land.</li> </ul>	Oppose in part	Refer to paragraphs 4.111 to 4.113 of the covering submission.	<p>Include the following additional text to the list of bullet points:</p> <p>....</p> <ul style="list-style-type: none"> <li>• <b><u>Designations</u></b> – <i>The Designation Chapter lists designations throughout the district and describes the purpose and conditions of any designation and will help determine if approval is required from the Requiring Authority under section 176 of the RMA.</i></li> </ul>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<ul style="list-style-type: none"> <li><a href="#">Hazardous substances</a> - The Hazardous Substances Chapter contains provisions to manage Hazardous Substances.</li> <li><a href="#">Trees</a> – The Notable Tree Chapter contains specific provisions relating to the management of Notable Trees.</li> </ul> <p>Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule or in this chapter, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the <a href="#">General Approach</a> chapter.</p>			
<p><b>INF-O1 The benefits of infrastructure</b></p> <p>The national, regional and local benefits of infrastructure are recognised and provided for.</p>	Support	For the reasons set out in paragraphs 4.1 to 4.10 and 4.11 to 4.15 of the covering submission, WIAL supports this objective.	Retain as notified.
<p><b>INF-O2 Adverse effects of infrastructure</b></p> <p>The adverse effects of infrastructure on the environment are managed, while recognising:</p> <ol style="list-style-type: none"> <li>The functional and operational need of infrastructure; and</li> <li>That positive effects of infrastructure may be realised locally, regionally or nationally.</li> </ol>	Support	For the reasons set out in paragraphs 4.1 to 4.10 and 4.11 to 4.15 of the covering submission, WIAL supports this objective.	Retain as notified.
<p><b>INF-O3 Adverse effects on infrastructure</b></p> <p>Manage the adverse effects, including reverse sensitivity effects or subdivision use and development on the function and operation of infrastructure.</p>	Oppose	For the reasons set out in paragraphs 4.1 to 4.10 and 4.11 to 4.15 of the covering submission, it is imperative that infrastructure is protected from reverse sensitivity effects.	Delete the objective or amend as follows:  <del>Manage the adverse effects, including reverse sensitivity effects or subdivision use and development on the function and operation of infrastructure.</del>  <u>Infrastructure is protected from incompatible subdivision, use and development, including reverse sensitivity effects.</u>
<p><b>New INF-07</b></p>		<p>For the reasons set out in paragraphs 4.1 to 4.10 and 4.11 to 4.15 of the covering submission, it is imperative that the Proposed Plan adequately recognises and provides for the establishment of new and the ongoing operation, maintenance, replacement and upgrade of existing infrastructure.</p> <p>Furthermore, this objective is required to ensure there is a clear objective that policies such as Policy INF-P1 give effect to.</p> <p>Note this objective should sit beneath INF-02 so the plan flows in a logical order (i.e. recognise and provide for infrastructure, enable infrastructure, manage adverse effects of infrastructure).</p>	<p>Insert a new INF-07 as follows:</p> <p><u>Development, operation, maintenance, repair, replacement, renewal and upgrading of infrastructure is enabled.</u></p>
<p><b>INF-P1 Recognising and providing for infrastructure</b></p> <p>Recognise the benefits of infrastructure by:</p> <ol style="list-style-type: none"> <li>Enabling the safe, resilient, effective and efficient operation, maintenance, repair, minor upgrade or removal of existing infrastructure;</li> <li>Enabling investigation, monitoring and navigation activities associated with infrastructure operations;</li> <li>Providing for significant upgrades to, and the development of new infrastructure; and</li> <li>Providing for the functions and responsibilities of infrastructure as lifeline utilities during an emergency.</li> </ol>	Support.	For the reasons set out in paragraphs 4.1 to 4.10 and 4.11 to 4.15 of the covering submission, WIAL supports this policy.	Retain as notified.

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p><b>INF-P3 Technological advances</b></p> <p>Provide flexibility to adopt new technologies for infrastructure that:</p> <ol style="list-style-type: none"> <li>1. Allow for the re-use of redundant services and structures;</li> <li>2. Increase resilience, safety or reliability of networks and services;</li> <li>3. Result in environmental benefits or enhancements; or</li> <li>4. Promote environmentally sustainable outcomes.</li> </ol>	Support	For the reasons set out in paragraphs 4.1 to 4.10 and 4.11 to 4.15 of the covering submission, WIAL supports this policy	Retain as notified.
<p><b>INF-P5 Adverse effects of infrastructure</b></p> <p>Manage the adverse effects of upgrades to, or the development of new infrastructure, including effects on:</p> <ol style="list-style-type: none"> <li>1. Natural and physical resources;</li> <li>2. Amenity values;</li> <li>3. Sensitive activities;</li> <li>4. The identified values of Overlays;</li> <li>5. The safe and efficient operation of other infrastructure; and</li> <li>6. The health, well-being and safety of people and communities.</li> </ol>	Support	For the reasons set out in paragraphs 4.1 to 4.10 and 4.11 to 4.15 of the covering submission, WIAL supports this policy	Retain as notified.
<p><b>INF-P6 Consideration of the adverse effects of infrastructure</b></p> <p>When considering the adverse effects of infrastructure on the environment recognise that there may be situations where all adverse effects, including construction effects, cannot be avoided, and as such must be remedied or mitigated through having regard to the following:</p> <ol style="list-style-type: none"> <li>1. The extent to which adverse effects can be avoided, remedied or mitigated may be constrained by the functional or operational need of the infrastructure;</li> <li>2. The time, duration, or frequency of adverse effects;</li> <li>3. The necessity of the infrastructure including: <ol style="list-style-type: none"> <li>a. The need to quickly repair and restore disrupted services; and</li> <li>b. The impact of not operating, repairing, maintaining, upgrading, removing or developing infrastructure;</li> </ol> </li> <li>4. Existing infrastructure including: <ol style="list-style-type: none"> <li>a. The complexity and connectedness of networks and services; and</li> <li>b. The potential for co-location and shared use of infrastructure corridors;</li> </ol> </li> <li>5. Anticipated outcomes for the receiving environment and the degree to which past modifications have compromised the achievement of those outcomes;</li> <li>6. The benefits derived from the infrastructure at a local, regional and national scale; and</li> <li>7. The extent to which the infrastructure is integrated with, and necessary to support, planned urban development.</li> </ol>	???	<p>As set out in paragraphs 4.1 to 4.10 and 4.11 to 4.15 it is not always possible or practicable for infrastructure to avoid, remedy or mitigate all environmental effects.</p> <p>Furthermore, it is not appropriate for the policy framework to require that all adverse effects, irrespective of their significance, be avoided, remedied or mitigated. This is particularly relevant in the context of regionally significant infrastructure.</p>	<p>Delete the policy or amend as follows:</p> <p><i>When considering the adverse effects of infrastructure on the environment recognise that there may be situations where <del>all</del> adverse effects, including construction effects, cannot be avoided, <u>remedied or mitigated</u> and as such must be remedied or mitigated through having regard to the following:</i></p> <ol style="list-style-type: none"> <li>1. ....</li> </ol>
<p><b>INF-P7 Reverse sensitivity</b></p> <p>Manage the establishment or alteration of sensitive activities near existing lawfully established infrastructure, including by:</p> <ol style="list-style-type: none"> <li>1. Requiring subdivision of sites containing the National Grid to: <ol style="list-style-type: none"> <li>a. Retain the ability for the network utility operator to access, operate, maintain, repair and upgrade National Grid; and</li> <li>b. Ensure that future buildings, earthworks and construction activities maintain safe electrical clearance distances under all building and National Grid operating conditions;</li> </ol> </li> </ol>	Oppose	For the reasons set out in paragraphs 4.1 to 4.10, 4.11 to 4.15 and 4.56 to 4.69 of the cover submission, it is imperative that infrastructure is protected from incompatible land use activities, including reverse sensitivity effects.	<p>Amend the chapeau of the policy to apply only to the National Grid and gas transmission and insert a new policy applying to all other infrastructure as follows:</p> <p><i><u>Avoid where practicable, or otherwise remedy or mitigate adverse effects on infrastructure from subdivision, use and development, including reverse sensitivity effects, which may compromise the operation and capacity of existing, consented and planned infrastructure.</u></i></p>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>2. Managing land disturbance and activities sensitive to gas transmission to avoid or mitigate potential adverse effects of, and on, gas transmission pipelines;</p> <p>3. Requiring subdivision of sites containing a gas transmission pipeline to retain the ability for the network utility operator to access, operate, maintain, repair and upgrade the gas transmission pipeline; and</p> <p>4. Managing the activities of others through set-backs and design controls where it is necessary to achieve appropriate protection of infrastructure.</p>			
<p><b>INF-R1 Operation, maintenance and repair, or removal of existing above and underground infrastructure and ancillary vehicle access tracks</b></p> <p><b>INF-R3 Upgrading of existing aboveground infrastructure</b></p> <p><b>INF-R6 Temporary infrastructure</b></p> <p><b>INF-R15 Infrastructure, buildings and structures not provided for by any other rule in this table</b></p>	Support in part	<p>For the reasons set out paragraphs 4.11 to 4.15 of the covering submission, WIAL supports the inclusion of rules listed as they create an appropriate consenting pathway for infrastructure.</p> <p>WIAL submits however, that some of the conditions included in these rules will require consequential changes to account for the proposed new objectives and policies identified by WIAL.</p>	Retain as notified, with consequential changes to include reference to WIAL's proposed new objectives and policies included in the relevant matters of discretion as outlined in this submission.
<p><b>INF-R7 Structures associated with infrastructure including:</b></p> <p>1. Substations (including switching stations);</p> <p>2. Transformers;</p> <p>3. Gas transmission and distribution structures;</p> <p>4. Energy storage batteries not enclosed by a building; and</p> <p>5. Communications kiosks.</p>	Oppose in part	<p>WIAL is concerned that the use of the term "including" in this rule means that it may not be exhaustive and could inadvertently capture airport structures located outside of the Airport Zone.</p> <p>To be enforceable, the rule must be clear and concise in its application.</p>	<p>Amend this rule as follows:</p> <p><b>INF-R7 Structures associated with infrastructure including: :....</b></p>
<b>Tūāhanga - Takutai Moana - Infrastructure – Coastal Environment</b>			
<p><b>INF-CE-P14 Operation, maintenance and repair of existing infrastructure within the coastal environment:</b></p> <ul style="list-style-type: none"> <li>• <b>Outside of high coastal natural character areas; and</b></li> <li>• <b>Outside of coastal and riparian margins.</b></li> </ul> <p>Allow the operation, maintenance, repair and upgrading of existing infrastructure and for new infrastructure within the coastal environment.</p>	Oppose	<p>For the reasons set out in paragraphs 4.30 to 4.31 and 4.46 to 4.49 of the covering submission, WIAL opposes this policy insofar as it encourages the duplication of controls within the coastal environment that can otherwise be managed by the general infrastructure provisions.</p>	Delete this policy.
<p><b>INF-CE-P16 Operation, maintenance and repair of existing infrastructure within the coastal environment in the Residential Zones, Commercial and Mixed Use Zones, Industrial Zones, Airport and Port Zones:</b></p> <ul style="list-style-type: none"> <li>• <b>Within coastal and riparian margins.</b></li> </ul> <p>Allow for the operation, maintenance and repair of existing infrastructure within areas of coastal margins and riparian margins in the coastal environment in the Residential Zones, Commercial and Mixed Use Zones, Industrial Zones, Airport and Port Zones.</p>	Support in part / Oppose in part	<p>For the reasons set out in paragraphs 4.30 to 4.31 and 4.46 to 4.49 of the covering submission, WIAL supports this policy in part as relates to activities within the coastal environment that are not otherwise managed in the general infrastructure provisions.</p> <p>WIAL submits however, that this provision also needs to include the area of Natural Open Space zoned land, between Lyall Bay and Moa Point, which is highly modified and is used by WIAL for a range of ancillary airport activities (such as navigational aids and meteorological equipment).</p>	<p>Delete this policy or amend as follows:</p> <p><b><i>Operation, maintenance and repair of existing infrastructure within the coastal environment in the Residential Zones, Commercial and Mixed Use Zones, Industrial Zones, Airport, and Port Zones and the area of Natural Open Space Zone located between Lyall Bay and Moa Point:</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>Within coastal and riparian margins.</i></b></li> </ul> <p><i>Allow for the operation, maintenance and repair of existing infrastructure within areas of coastal margins and riparian margins in the coastal environment in the Residential Zones, Commercial and Mixed Use Zones, Industrial Zones, Airport, and Port Zones and the area of Natural Open Space Zone located between Lyall Bay and Moa Point Road.</i></p>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
		Note that WIAL also has a submission filed with respect to the appropriateness of this zoning, therefore consequential changes may be required to this policy to address the zoning of the site.	Or relief to a similar effect if the area of Natural Open Space zoned land is rezoned to an alternative zoning, as per WIAL's submission.
<p><b>INF-CE-P17 Operation, maintenance and repair of existing infrastructure within the coastal environment in the Rural Zone and Open Space and Recreation Zones:</b></p> <ul style="list-style-type: none"> <li>• <b>Within coastal and riparian margins.</b></li> </ul> <p>Provide for the operation, maintenance and repair of existing infrastructure within coastal margins and riparian margins in the coastal environment in the Rural Zone and Open Space and Recreation Zones, where:</p> <ol style="list-style-type: none"> <li>1. Related earthworks are of a scale that maintains or restores the natural character; and</li> <li>2. Any significant adverse effects on the natural character are avoided and any other adverse effects on the natural character are avoided, remedied or mitigated.</li> </ol>	Oppose in part	For the reasons set out in paragraphs 4.40 to 4.45 of the covering submission, WIAL does not support this policy to the extent that it places an unduly onerous constraint on the use of the highly modified area of Natural Open Space zone between Lyall Bay and Moa Point.	<p>Delete this policy or amend as follows:</p> <p><b><i>Operation, maintenance and repair of existing infrastructure within the coastal environment in the Rural Zone and Open Space and Recreation Zones (excluding the area located between Lyall Bay and Moa Point):</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>Within coastal and riparian margins.</i></b></li> </ul> <p><i>Provide for the operation, maintenance and repair of existing infrastructure within coastal margins and riparian margins in the coastal environment in the Rural Zone and Open Space and Recreation Zones (excluding the area located between Lyall Bay and Moa Point), where:</i></p> <ol style="list-style-type: none"> <li>1. ....</li> </ol>
<p><b>INF-CE-P18 Upgrading of existing infrastructure within the coastal environment:</b></p> <ul style="list-style-type: none"> <li>• <b>Outside of high coastal natural character areas; and</b></li> <li>• <b>Outside of coastal and riparian margins.</b></li> </ul> <p>Allow the upgrading of existing infrastructure within the coastal environment where it is located outside of high coastal natural character areas and outside of coastal and riparian margins.</p>	Oppose	For the reasons set out in paragraphs 4.30 to 4.31 and 4.46 to 4.49 of the covering submission, WIAL opposes this policy insofar as it encourages the duplication of controls within the coastal environment that can otherwise be managed by the general infrastructure provisions.	Delete this policy.
<p><b>INF-CE-P21 Upgrading of existing infrastructure within the coastal environment of the Residential Zones, Commercial and Mixed Use Zones, Industrial Zones and Special Purpose Zones:</b></p> <ul style="list-style-type: none"> <li>• <b>Within coastal and riparian margins.</b></li> </ul> <p>Allow for the upgrading of existing infrastructure within coastal margins and riparian margins in the coastal environment in the Residential Zones, Commercial and Mixed Use Zones, Industrial Zones and Special Purpose Zones.</p>	Support in part / Oppose in part	<p>For the reasons set out in paragraphs 4.11 to 4.15 of the covering submission, WIAL supports this policy in part.</p> <p>WIAL submits however, that this provision also needs to include the area of Natural Open Space zoned land, between Lyall Bay and Moa Point, which is highly modified and is and used by WIAL for a range of ancillary airport activities (such as navigational aids and meteorological equipment).</p> <p>Note that WIAL also has a submission filed with respect to the appropriateness of this zoning (refer to paragraphs 4.40 to 4.45 of the covering submission), therefore consequential changes may be required to this policy to address the zoning of the site.</p>	<p>Delete this policy or amend as follows:</p> <p><b><i>Upgrading of existing infrastructure within the coastal environment of the Residential Zones, Commercial and Mixed Use Zones, Industrial Zones and Special Purpose Zones:</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>Within coastal and riparian margins.</i></b></li> </ul> <p><i>Allow for the upgrading of existing infrastructure within coastal margins and riparian margins in the coastal environment in the Residential Zones, Commercial and Mixed Use Zones, Industrial Zones, and Special Purpose Zones and the area of Natural Open Space Zone located between Lyall Bay and Moa Point Road.</i></p> <p>Or relief to a similar effect if the area of Natural Open Space zoned land is rezoned to an alternative zoning, as per WIAL's submission.</p>
<p><b>INF-CE-P23 Upgrading of existing infrastructure within the coastal environment of the Rural Zone and Open Space and Recreation Zones that is located aboveground and outside an existing road reserve:</b></p> <ul style="list-style-type: none"> <li>• <b>Within coastal and riparian margins.</b></li> </ul>	Support in part / Oppose in part	<p>For the reasons set out in paragraphs 4.11 to 4.15 of the covering submission, WIAL supports this policy.</p> <p>WIAL submits however, that this provision also needs to include the area of Natural Open Space zoned land, between Lyall</p>	<p>Delete this policy or amend as follows:</p> <p><b><i>Upgrading of existing infrastructure within the coastal environment of the Rural Zone and Open Space and Recreation Zones (excluding the area located between Lyall Bay and Moa Point) that is</i></b></p>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>Only allow for the upgrading of existing infrastructure that is located above ground and outside an existing road reserve in the Rural Zone and Open Space and Recreation Zones within riparian margins and coastal margins in the coastal environment where:</p> <ol style="list-style-type: none"> <li>1. The activity is of a scale that maintains or restores the natural character;</li> <li>2. Any significant adverse effects are avoided and any other adverse effects are avoided, remedied or mitigated; and</li> <li>3. There is a functional need or operational need for the activity to be undertaken within coastal margins or riparian margins in the coastal environment.</li> </ol>		<p>Bay and Moa Point, which is highly modified and is used by WIAL for a range of ancillary airport activities (such as navigational aids and meteorological equipment).</p> <p>Note that WIAL also has a submission filed with respect to the appropriateness of this zoning (refer to paragraphs 4.40 to 4.45 of the covering submission), therefore consequential changes may be required to this policy to address the zoning of the site.</p>	<p><b>located aboveground and outside an existing road reserve:</b></p> <ul style="list-style-type: none"> <li>• <b>Within coastal and riparian margins.</b></li> </ul> <p>Only allow for the upgrading of existing infrastructure that is located above ground and outside an existing road reserve in the Rural Zone and Open Space and Recreation Zones <u>(excluding the area located between Lyall Bay and Moa Point)</u> within riparian margins and coastal margins in the coastal environment where:</p> <ol style="list-style-type: none"> <li>1. ....</li> </ol> <p>Or relief to a similar effect if the area of Natural Open Space zoned land is rezoned to an alternative zoning, as per WIAL's submission.</p>
<p><b>INF-CE-P24 New infrastructure within the coastal environment:</b></p> <ul style="list-style-type: none"> <li>• <b>Outside of high coastal natural character areas; and</b></li> <li>• <b>Outside of coastal and riparian margins.</b></li> </ul> <p>Allow for new infrastructure within the coastal environment where it is located outside of high coastal natural character areas and outside of coastal margins and riparian margins.</p>	Oppose	<p>For the reasons set out in paragraphs 4.30 to 4.31 and 4.47 to 4.48 of the covering submission, WIAL opposes this policy insofar as it encourages the duplication of controls within the coastal environment that can otherwise be managed by the general infrastructure provisions.</p>	Delete this policy.
<p><b>INF-CE-P25 New infrastructure within the coastal environment:</b></p> <ul style="list-style-type: none"> <li>• <b>Within high coastal natural character areas; or</b></li> <li>• <b>Within coastal and riparian margins.</b></li> </ul> <p>Only allow for new infrastructure within high coastal natural character areas and within coastal margins and riparian margins in the coastal environment, where:</p> <ol style="list-style-type: none"> <li>1. The activity is of a scale that maintains or restores the identified values described in <a href="#">SCHED12</a> or the natural character;</li> <li>2. Any significant adverse effects are avoided and any other adverse effects are avoided, remedied or mitigated; and</li> <li>3. There is a functional or operational need for the activity to be undertaken within these areas.</li> </ol>	Oppose	<p>For the reasons set out in paragraphs 4.46 to 4.49 of the covering submission, WIAL does not support this policy.</p> <p>WIAL also notes the policy goes further than the NZCPS which requires the avoidance of significant adverse effects and the avoidance, remediation and mitigation of other effects on natural character, natural features and landscapes. Amendments are proposed to the policy which therefore bring the policy into line with the NZCPS.</p>	<p>Delete this policy</p> <p>Or, as a less favoured alternative, amend the policy as follows:</p> <p><b>INF-CE-P25 New infrastructure within the coastal environment:</b></p> <ul style="list-style-type: none"> <li>• <b>Within high coastal natural character areas; or</b></li> <li>• <b>Within coastal and riparian margins.</b></li> </ul> <p>Only allow for new infrastructure within high coastal natural character areas and within coastal margins and riparian margins in the coastal environment, where:</p> <ol style="list-style-type: none"> <li>1. The activity is of a scale that maintains or restores the identified values described in <a href="#">SCHED12</a> or the natural character;</li> <li>2. Any significant adverse effects are avoided and any other adverse effects are avoided, remedied or mitigated <u>on natural character and natural features and landscapes; and</u></li> <li>3. There is a functional or operational need for the activity to be undertaken within these areas.</li> </ol>
<p><b>INF-CE-R27 Operation, maintenance, repair of existing infrastructure within the coastal environment;</b></p> <ul style="list-style-type: none"> <li>• <b>Outside of high coastal natural character areas; and</b></li> <li>• <b>Outside of the coastal and riparian margins.</b></li> </ul> <p><b>All Zones</b></p> <ol style="list-style-type: none"> <li>1. <b>Activity Status:</b> Permitted</li> </ol>	Oppose	<p>WIAL opposes this rule for the reasons set out in paragraphs 4.30 to 4.31 and 4.47 and 4.47 and 4.48 of the covering submission.</p>	Delete this rule.



PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p><b>INF-CE-R29 Operation, maintenance and repair of existing infrastructure within the coastal environment:</b></p> <ul style="list-style-type: none"> <li>• <b>Within coastal or riparian margins.</b></li> </ul> <p>Residential Zones, Commercial and Mixed Use Zones, Industrial Zones, Special Purpose Zones</p> <p>1. Activity Status: Permitted</p> <p>Rural Zones, Open Space and Recreation Zones</p> <p>2. Activity Status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with <a href="#">INF-S3</a>.</p> <p>Rural Zones, Open Space and Recreation Zones</p> <p>4. Activity status: <b>Restricted Discretionary</b></p> <p>Where:</p> <p>a. Compliance with <a href="#">INF-CE-R29.2</a> cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The matters in <a href="#">INF-P16</a> and <a href="#">CE-P6</a>; and</p> <p>2. The matters in <a href="#">PA-P1</a> and <a href="#">PA-P2</a>.</p>	Support in part / Oppose in part	<p>For the reasons set out in paragraphs 4.11 to 4.15 of the covering submission, WIAL supports this rule in part.</p> <p>WIAL submits however, that this provision also needs to include the area of Natural Open Space zoned land, between Lyall Bay and Moa Point, which is highly modified and is and used by WIAL for a range of ancillary airport activities (such as navigational aids and meteorological equipment).</p> <p>Note that WIAL also has a submission filed with respect to the appropriateness of this zoning (refer to paragraphs 4.40 to 4.45 of the covering submission), therefore consequential changes may be required to this policy to address the zoning of the site.</p>	<p>Delete this rule or amend as follows</p> <p><b>INF-CE-R29 Operation, maintenance and repair of existing infrastructure within the coastal environment:</b></p> <ul style="list-style-type: none"> <li>• <b>Within coastal or riparian margins.</b></li> </ul> <p><i>Residential Zones, Commercial and Mixed Use Zones, Industrial Zones, Special Purpose Zones, and the area of Natural Open Space Zone located between Lyall Bay and Moa Point</i></p> <p>1. Activity Status: Permitted</p> <p><i>Rural Zones, Open Space and Recreation Zones (excluding the area between Lyall Bay and Moa Point)</i></p> <p>2. Activity Status: Permitted</p> <p>Where:</p> <p>a. Compliance is achieved with INF-S3.</p> <p><i>Rural Zones, Open Space and Recreation Zones (excluding the area between Lyall Bay and Moa Point)</i></p> <p>3. Activity status: <b>Restricted Discretionary</b></p> <p>Or relief to a similar effect if the area of Natural Open Space zoned land is rezoned to an alternative zoning, as per WIAL's submission.</p>
<p><b>INF-CE-R30 Upgrading of existing infrastructure and new infrastructure within the coastal environment:</b></p> <ul style="list-style-type: none"> <li>• <b>Outside of high coastal natural character areas; and</b></li> <li>• <b>Outside of coastal and riparian margins.</b></li> </ul> <p><b>All Zones</b></p> <p>1. Activity status: Permitted</p>	Oppose	WIAL opposes this rule for the reasons set out in paragraph 4.30 to 4.31 and 4.47 to 4.48 of the covering submission.	Delete this rule.
<p><b>INF-CE-R31 Upgrading of existing infrastructure within the coastal environment:</b></p> <ul style="list-style-type: none"> <li>• <b>Within coastal or riparian margins.</b></li> </ul> <p>Residential Zones, Commercial and Mixed Use Zones, Industrial Zones, Special Purpose Zones</p> <p>1. Activity Status: Permitted</p> <p>Rural Zones, Open Space and Recreation Zones</p> <p>2. Activity Status: Permitted</p> <p>Where:</p> <p>a. The infrastructure is located underground; or</p> <p>b. The infrastructure is located within an existing road reserve.</p> <p>Rural Zones, Open Space and Recreation Zones</p> <p>3. Activity status: <b>Restricted Discretionary</b></p> <p>Where:</p>	Support in part / Oppose in part	<p>For the reasons set out in paragraphs 4.11 to 4.15 of the covering submission, WIAL supports this rule.</p> <p>WIAL submits however, that this provision also needs to include the area of Natural Open Space zoned land, between Lyall Bay and Moa Point, which is highly modified and is and used by WIAL for a range of ancillary airport activities (such as navigational aids and meteorological equipment).</p> <p>Note that WIAL also has a submission filed with respect to the appropriateness of this zoning (refer to paragraphs 4.40 to 4.45 of the covering submission), therefore consequential changes may be required to this policy to address the zoning of the site.</p>	<p>Delete this rule or amend as follows:</p> <p><b>Upgrading of existing infrastructure within the coastal environment:</b></p> <ul style="list-style-type: none"> <li>• <b>Within coastal or riparian margins.</b></li> </ul> <p><i>Residential Zones, Commercial and Mixed Use Zones, Industrial Zones, Special Purpose Zones and the area of Natural Open Space Zone located between Lyall Bay and Moa Point.</i></p> <p>1. Activity Status: Permitted</p> <p><i>Rural Zones, Open Space and Recreation Zones (excluding the area between Lyall Bay and Moa Point)</i></p> <p>2. Activity Status: Permitted</p> <p>Where:</p> <p>a. The infrastructure is located underground; or</p>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>a. Compliance with the requirements of <a href="#">INF-CE-R31.2</a> cannot be achieved.</p> <p>Matters of discretion:</p> <ol style="list-style-type: none"> <li>The matters in <a href="#">INF-CE-P18</a> and <a href="#">CE-P7</a>; and</li> <li>The matters in <a href="#">PA-P1</a> and <a href="#">PA-P2</a>.</li> </ol>			<p>b. <i>The infrastructure is located within an existing road reserve.</i></p> <p><i>Rural Zones, Open Space and Recreation Zones (excluding the area between Lyall Bay and Moa Point)</i></p> <p>3. <i>Activity status: ....</i></p> <p>Or relief to a similar effect if the area of Natural Open Space zoned land is rezoned to an alternative zoning, as per WIAL's submission.</p>
<p><b>INF-CE-R33</b></p> <p>New infrastructure within the coastal environment:</p> <ul style="list-style-type: none"> <li>Outside of high coastal natural character areas; and</li> <li>Outside of coastal and riparian margins</li> </ul> <p>All Zones</p> <ol style="list-style-type: none"> <li>Activity Status: Permitted</li> </ol>	Oppose	WIAL opposes this rule for the reasons set out in paragraphs 4.30 to 4.31 and 4.47 to 4.48 of the covering submission.	Delete this rule.
<p><b>INF-CE-R34</b></p> <p>New infrastructure within the coastal environment:</p> <ul style="list-style-type: none"> <li>Within high coastal natural character areas; or</li> <li>Within coastal or riparian margins</li> </ul> <p>All Zones:</p> <ol style="list-style-type: none"> <li>Activity Status: Discretionary</li> </ol>	Oppose	<p>For the reasons set out in paragraphs 4.46 to 4.49, WIAL does not support this rule as notified. WIAL also considers that a discretionary activity is unduly onerous and notes that the rationale for establishing rules within "coastal margins" is premised on Policy 6(1)(i) of the NZCPS. There are other limbs within Policy 6 that need to be considered. A restricted discretionary activity achieves a greater balancing of these provisions.</p> <p>Furthermore, Policy INF-CE-P25 also identifies specific controls on when infrastructure should be allowed within these areas. These matters better lend themselves to a restricted discretionary activity status.</p>	<p>Delete or amend the rule as follows:</p> <p><b><i>New infrastructure within the coastal environment:</i></b></p> <ul style="list-style-type: none"> <li><b><i>Within high coastal natural character areas; or</i></b></li> <li><b><i>Within coastal or riparian margins</i></b></li> </ul> <p><b><i>All Zones:</i></b></p> <p><b><i>Activity Status: <u>Restricted Discretionary</u></i></b></p> <p><b><i>Matters of discretion are:</i></b></p> <ol style="list-style-type: none"> <li><b><i><u>The matters in INF-P6 and INF-P25.</u></i></b></li> </ol>
<b>Tūāhanga - Ngā Pūnaha Hauropi me te Kanorau Koiora Taketake - Infrastructure – Ecosystems and Indigenous Biodiversity</b>			
<p><b>INF-ECO-P33 Operation, maintenance and repair of existing infrastructure within a significant natural area</b></p> <p>Provide for the operation, maintenance and repair of existing infrastructure within significant natural areas where the activity, including associated earthworks, does not adversely affect the biodiversity values.</p>	Oppose in part	For the reasons set out in paragraphs 4.49 to 4.54, WIAL opposes this objective in part.	<p>Delete the policy or amend as follows:</p> <p><i>Provide for the operation, maintenance and repair of existing infrastructure within significant natural areas where <del>the activity, including associated earthworks, not adversely affect the biodiversity values.</del> it can be demonstrated that:</i></p> <ol style="list-style-type: none"> <li><i>There is an operational need or functional need that means the infrastructure's location cannot be <u>practicably avoided</u>; and</i></li> <li><i>Any adverse effects on indigenous biodiversity values within a significant natural area are applied in accordance with <u>ECO-2-ECO-P1</u>.</i></li> </ol>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p><b>INF-ECO-P34 Upgrades to and new infrastructure in significant natural areas</b></p> <p>Allow for upgrades to existing infrastructure and for new infrastructure within significant natural areas where it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>1. There is an operational need or functional need that means the infrastructure's location cannot be avoided; and</li> <li>2. Any adverse effects on indigenous biodiversity values within a significant natural area are applied in accordance with <a href="#">ECO-P2</a>.</li> </ol>	Oppose	For the reasons set out in paragraphs 4.50 to 4.55, WIAL opposes this objective in part.	<p>Delete or amend the policy as follows:</p> <p><i>Allow for upgrades to existing infrastructure and for new infrastructure within significant natural areas where it can be demonstrated that:</i></p> <ol style="list-style-type: none"> <li>1. <i>There is an operational need or functional need that means the infrastructure's location cannot be <u>practicably</u> avoided; and</i></li> <li>2. <i>Any adverse effects on indigenous biodiversity values within a significant natural area are applied in accordance with <u>ECO-2-ECO-P1</u>.</i></li> </ol>
<p><b>New Provisions</b></p>		For the reasons set out in paragraphs 4.50 to 4.55 of the covering submission, WIAL submits that a new policy and method is required to allow for the removal of vegetation within significant natural areas where necessary to provide for the safe and/or efficient operation of regionally significant infrastructure.	<p>Insert a new policy and method as follows:</p> <p><b><u>INF-ECOP38 Appropriate vegetation removal in significant natural areas</u></b></p> <p><u>Enable vegetation removal within significant natural areas identified within SCHED8 where:</u></p> <ol style="list-style-type: none"> <li>1. <u>The vegetation removal is required to provide for the ongoing and safe operation of regionally significant infrastructure; and,</u></li> <li>2. <u>Any adverse effects on indigenous biodiversity values within a significant natural area are considered in accordance with ECO-P1.</u></li> </ol> <p><b><u>INFR-ECO-R43A</u></b></p> <p><u>All Zones</u></p> <p><u>Removal of vegetation within significant natural areas to protect regionally significant infrastructure</u></p> <ol style="list-style-type: none"> <li>1. <u>Activity Status: Restricted discretionary</u></li> </ol> <p><u>Matters of discretion are:</u></p> <ol style="list-style-type: none"> <li>3. <u>The matters in INF-ECO-P38</u></li> </ol>
<p><b>Tūāhanga - Ngā Mōrearea ā-Taiao Infrastructure – Natural Hazards</b></p>			
<p><b>INF-NH-P61 Infrastructure and structures in Natural Hazard and Coastal Hazard Overlays</b></p> <p>Only allow for new infrastructure, and any associated structures in the Natural Hazard Overlays and Coastal Hazard Overlays where the infrastructure or associated structures:</p> <ol style="list-style-type: none"> <li>1. Do not increase the risk from the natural hazard to people, or other property or infrastructure;</li> <li>2. Incorporate design measures to reduce the potential for damage to the infrastructure following a natural hazard or coastal hazard event; and</li> <li>3. When located in an overland flowpath, stream corridor, or high coastal hazard area, have a functional need or operational need that means the infrastructure's location cannot be avoided and there are no reasonable alternatives.</li> </ol>	Oppose	For the reasons set out in paragraphs 4.85 to 4.91 of the covering submission, WIAL opposes this policy.	<p>Delete the policy or amend as follows:</p> <p><b><u>Infrastructure and structures in Natural Hazard and Coastal Hazard Overlays</u></b></p> <p><i>Only allow for new infrastructure, and any associated structures in the Natural Hazard Overlays and Coastal Hazard Overlays where the infrastructure or associated structures:</i></p> <ol style="list-style-type: none"> <li>1. <i>Do not <u>create an intolerable level of increase the risk</u> from the natural hazard to people, or other property or infrastructure;</i></li> <li>2. <i>Incorporate design measures to reduce the potential for damage to the infrastructure following a natural hazard or coastal hazard event <u>to the extent reasonably practicable</u>; and</i></li> </ol>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
			<p>3. <u>Have an operational or functional need to locate within Natural Hazard Overlays and Coastal Hazard Overlays;</u></p> <p>4. <u>When located in an overland flowpath, stream corridor, or high coastal hazard area, have a functional need or operational need that means the infrastructure's location cannot be avoided and there are no reasonably practicable alternatives.</u></p>
<p><b>INF-NH-R59 Temporary infrastructure in Natural Hazard Overlays and Coastal Hazard Overlays</b></p> <p><b>All Zones</b></p> <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. The temporary infrastructure is not located within the:</p> <p>i. Overland flowpath area of the flood hazard extent;</p> <p>ii. Stream corridor area of the flood hazard extent; or</p> <p>iii. The high hazard area of the Coastal Hazard Overlay outside of the City Centre Zone.</p> <p>2. Activity status: <b>Restricted Discretionary</b></p> <p>Where:</p> <p>a. Compliance with the requirements of <a href="#">INF-NH-R59.1.a</a> cannot be achieved.</p> <p>Matters of discretion are:</p> <p>3. The matters set out in <a href="#">INF-NH-P61</a>.</p>	Oppose	For the reasons set out in paragraphs 4.85 to 4.91 of the covering submission, WIAL opposes this policy.	<p>Delete or amend the rule as follows:</p> <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. The temporary infrastructure is not located within the:</p> <p>i. Overland flowpath area of the flood hazard extent;</p> <p>ii. Stream corridor area of the flood hazard extent; or</p> <p>iii. The high hazard area of the Coastal Hazard Overlay outside of the City Centre Zone.</p> <p>iv. <u>The high hazard area of the Coastal Hazard Overlay outside of the Natural Open Space Zone located between Lyall Bay and Moa Point</u></p>
<p><b>INF-NH-60 New above ground infrastructure in Natural Hazard Overlays and Coastal Hazard Overlays</b></p> <p><b>All Zones</b></p> <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. The infrastructure is located within:</p> <p>i. The ponding area of the flood hazard extent;</p> <p>ii. The low and medium hazard areas of the Coastal Hazard Overlays;</p> <p>iii. The Sheppards Gully Fault Overlay, Ohariu Fault Overlay or the Terawhiti Fault Overlay;</p> <p>iv. The Liquefaction Overlay; or</p> <p>v. High hazard area of the Coastal Hazard Overlay within the City Centre Zone.</p> <p>2. Activity status: <b>Restricted Discretionary</b></p> <p>Where:</p> <p>a. The infrastructure is located within the:</p> <p>i. Overland flowpath area of the flood hazard extent;</p> <p>ii. The Wellington Fault Overlay;</p> <p>iii. Stream corridor of the flood hazard extent; or</p> <p>iv. High hazard area of the Coastal Hazard Overlay outside of the City Centre Zone.</p> <p>Matters of discretion are:</p>	Oppose in part	For the reasons set out in paragraphs 4.85 to 4.91 of the covering submission, WIAL opposes this policy.	<p>Delete or amend the rule as follows</p> <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. The infrastructure is located within:</p> <p>i. The ponding area of the flood hazard extent;</p> <p>ii. The low and medium hazard areas of the Coastal Hazard Overlays;</p> <p>iii. The Sheppards Gully Fault Overlay, Ohariu Fault Overlay or the Terawhiti Fault Overlay;</p> <p>iv. The Liquefaction Overlay; or</p> <p>v. High hazard area of the Coastal Hazard Overlay within the City Centre Zone.</p> <p>vi. <u>High hazard area of the Coastal Hazard Overlay within the Natural Open Space Zone between Lyall Bay and Moa Point.</u></p> <p>2. Activity status: <b>Restricted Discretionary</b></p> <p>Where:</p> <p>a. The infrastructure is located within the:</p> <p>i. Overland flowpath area of the flood hazard extent;</p>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
3. The matters set out in <a href="#">INF-NH-P61</a> .			<ul style="list-style-type: none"> <li>ii. <i>The Wellington Fault Overlay;</i></li> <li>iii. <i>Stream corridor of the flood hazard extent; or</i></li> <li>iv. <i>High hazard area of the Coastal Hazard Overlay outside of the City Centre Zone <u>or outside of the Natural Open Space Zone between Lyall Bay and Moa Point.</u></i></li> </ul>
<b>Tūāhanga - Ētahi anō Inaki Infrastructure – Other Overlays</b>			
<p><b>INF-OL-P62 Adverse effects of infrastructure on:</b></p> <ol style="list-style-type: none"> <li>1. <b>Historic heritage;</b></li> <li>2. <b>Notable trees;</b></li> <li>3. <b>Sites and areas of significance to Māori; and</b></li> <li>4. <b>Viewshafts.</b></li> </ol> <p>In the overlays identified in clauses 1-4 above:</p> <ol style="list-style-type: none"> <li>a. Give priority to avoiding the adverse effects of substantial upgrades to, or the development of new infrastructure, on the values and attributes of the above overlays; and</li> <li>b. Where the avoidance of adverse effects under clause a. is not possible, the appropriateness of the substantial upgrades to, or the development of, new infrastructure will be determined by having regard to the matters listed in <a href="#">INF-P6</a>.</li> </ol>	Oppose	<p>Refer to paragraphs 4.81 to 4.84 of WIAL's covering submission.</p> <p>Furthermore, use of the term "possible" within limb b should be amended to "practicable". "Possible" is defined as "able to be done or achieved". This sets a unreasonably high threshold, as it may be "possible" to avoid and effect, but is not "practicable" due to siting, design and costing constraints (for example).</p>	<p>Delete or amend INF-OL-P62 as follows:</p> <p><i>Adverse effects of infrastructure on:</i></p> <ol style="list-style-type: none"> <li>1. <i>Historic heritage;</i></li> <li>2. <i>Notable trees;</i></li> <li>3. <i>Sites and areas of significance to Māori; and</i></li> <li>4. <i>Viewshafts.</i></li> </ol> <p><i>In the overlays identified in clauses 1-4 above:</i></p> <ol style="list-style-type: none"> <li>a. <i>Give priority to avoiding the adverse effects of substantial upgrades to, or the development of new infrastructure, on the values and attributes of the above overlays; and</i></li> <li>b. <i>Where the avoidance of adverse effects under clause a. is not <del>possible</del> <u>reasonably practicable</u>, the appropriateness of the substantial upgrades to, or the development of, new infrastructure will be determined by having regard to the matters listed in <a href="#">INF-P6</a>.</i></li> </ol>
<p><b>INF-OL-R64 Operation, maintenance and repair, or removal, or existing aboveground infrastructure in Other Overlays</b></p> <p><b>All Zones</b></p> <ol style="list-style-type: none"> <li>1. <b>Activity Status: Permitted</b></li> </ol>	Support	Refer to paragraphs 4.81 to 4.84 of WIAL's covering submission.	Retain as notified.
<p><b>INF-OL-R65 Upgrading of existing aboveground infrastructure in Other Overlays</b></p> <ol style="list-style-type: none"> <li>1. Activity Status: Permitted <ul style="list-style-type: none"> <li>Where <ol style="list-style-type: none"> <li>a. The infrastructure is located on a site identified in any of the following schedules:</li> <li>b. <b>iii.</b> Category A of SCHED7 (Sites and areas of significance to Māori).</li> </ol> </li> </ul> </li> <li>2. Activity Status: Restricted Discretionary <ul style="list-style-type: none"> <li>Where: <ol style="list-style-type: none"> <li>a. The infrastructure is located: <ul style="list-style-type: none"> <li>....</li> <li>iv. within a site or area listed in Category A or B of SCHED7 (Sites and area of significance to Māori).</li> </ul> </li> </ol> </li> </ul> </li> </ol> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>2. The matters set out in <a href="#">INF-OL-P62</a>.</li> </ol>	Oppose in part	<p>Both limbs 1 and 2 reference Category A of the Schedule 7. It is therefore not clear which rule applies to Category A Sites and areas of significance to Maori.</p> <p>WIAL supports this rule, subject to WIAL's proposed amendments to INF-OL-P62 being accepted.</p>	<p>Delete or amend the rule to refer to either Category A or Category B areas (not both).</p> <p>Otherwise, refine the matters of discretion to reflect that operational and functional constraints of infrastructure mean that adverse effects cannot always be avoided, remedied or mitigated.</p>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<b>INF-OL-R66 New aboveground infrastructure and temporary infrastructure in Other Overlays not otherwise provided for</b> 1. Activity Status Restricted Discretionary Matters of discretion are: 1. The matters set out in INF-OL-P62.	Support in part	WIAL supports this rule, subject to WIAL's proposed amendments to INF-OL-P62 being accepted.	Retain as notified provided WIAL's recommended changes to Policy INFO-OL-62 are accepted.  Otherwise delete or refine the matters of discretion to reflect that operational and functional constraints of infrastructure mean that adverse effects cannot always be avoided, remedied or mitigated.
<b>Te Waihangatanga ā-Hiko Whakahou - Renewable Electricity Generation</b>			
<b>REG-O1 Benefits of renewable energy use and development</b> <b>REG-O2 Adverse effects of renewable electricity generation activities</b> <b>REG-O3 Adverse effects on renewable electricity generation activities</b> <b>REG-O4 Energy efficiency and conservation</b>	Support	For the reasons set out in paragraphs 4.25 to 4.29 covering submission, WIAL supports these provisions insofar as they encourage and enable the development of renewable energy and thus will help WIAL achieve its sustainability and climate change goals.	Retain as notified.
<b>REG-P1 Recognising the significance and benefits of the use and development of renewable energy</b> <b>REG-P2 Providing for renewable electricity generation activities</b>	Support	For the reasons set out in paragraphs 4.25 to 4.29 covering submission, WIAL supports these provisions insofar as they encourage and enable the development of renewable energy and thus will help WIAL achieve its sustainability and climate change goals.	Retain as notified.
<b>REG-P3 Renewable electricity generation investigation activities</b>	Oppose in part	WIAL submits that the policy should expressly state which overlays apply to the site.	Amend the policies to refer to the specific overlays of relevance.
<b>P4 Small scale renewable electricity generation outside Overlays, high coastal natural character areas, and coastal and riparian margins</b>	Oppose in part	Based on the subparagraphs, it appears to be confined to overlays relating to the natural environment, historic and cultural values and natural hazards. There are, however, a number of other overlays within the plan that are captured by the broad use of the term "overlay" which are in no way relevant to the establishment of renewable electricity generation.	Amend the policy to refer to the specific overlays of relevance.
<b>P5 Small-scale renewable electricity generation activities within Overlays, high coastal natural character areas, and coastal and riparian margins</b>	Oppose in part		Amend the policy to refer to the specific overlays of relevance.
<b>REG-P6 Community scale renewable electricity generation activities in the General Rural Zone, General Industrial and Airport Zones, outside Overlays, high coastal natural character areas, and coastal and riparian margins</b>	Oppose in part		Amend the policy to refer to the specific overlays of relevance.
<b>REG-P7 Community-scale renewable electricity generation activities within other zones, locations and Overlays</b>	Oppose in part		Amend the policy to refer to the specific overlays of relevance.
<b>Tūnuku - Transport</b>			
<b>TR-P1 High trip generating use and development</b> Provide for high vehicle trip generating activities where they: 1. Safely and effectively integrate with the transport network, including planned network upgrades and service improvements; and 2. Provide for pedestrian, cycling, micromobility and public transport modes.	Oppose	WIAL opposes these provisions, for the reasons set out in paragraphs 4.107 to 4.108 of the covering submission.	Exclude the Airport Zone from the trip generation provisions.
<b>TR-R2 Trip Generation</b> All Zones <b>1. Activity Status: Permitted</b> Where: a. Compliance with TR-S1 is achieved; and,	Oppose		

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>b. The activity is not:</p> <ul style="list-style-type: none"> <li>i. A service station; or</li> <li>ii. A drive through activity</li> </ul> <p><b>2. Activity Status: Restricted Discretionary</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance with any of the requirements of TR-R2.1 cannot be achieved.</li> </ul> <p>The matters of discretion are:</p> <ul style="list-style-type: none"> <li>1. The matters in TR-P1.</li> </ul> <p><b>Section 88 information requirements for applications:</b></p> <p>Applications under <a href="#">Rule TR-R1.2.a</a> must provide an Integrated Transport Assessment by a suitably qualified transport engineer or transport planner. The Waka Kotahi NZ Transport Agency guidelines “Research Report 422: Integrated Transport Assessment Guidelines, November 2010” should be used to inform any Integrated Transport Assessment.</p> <p>Standards</p> <p>TR-S1 Vehicle Trip Generation</p> <p><b>Activities must not exceed the following maximum vehicle movement thresholds:</b></p> <ul style="list-style-type: none"> <li><b>Type of Vehicle: light</b></li> <li><b>Maximum number of vehicle movements: 200 per day</b></li> <li><b>Type of vehicle: Heavy</b></li> <li><b>Maximum number of vehicles movements: 8 per week</b></li> </ul>			
<p><b>TR-R1 All activities except for trip generation, on site cycling and micro mobility paths and on-site vehicle parking and manoeuvring</b></p> <p><b>All Zones</b></p> <ul style="list-style-type: none"> <li>1. Activity status: <b>Permitted</b></li> </ul> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance with the following standards is achieved: <ul style="list-style-type: none"> <li>i. <a href="#">TR-S2</a>;</li> <li>ii. <a href="#">TR-S3</a>;</li> <li>iii. <a href="#">TR-S8</a>; and</li> <li>iv. <a href="#">TR-S9</a>.</li> </ul> </li> </ul> <ul style="list-style-type: none"> <li>2. Activity status: <b>Restricted Discretionary</b></li> </ul> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance with any of the requirements of <a href="#">TR-R1</a> cannot be achieved</li> </ul> <p>Matters of discretion are:</p> <ul style="list-style-type: none"> <li>1. The extent and effect of non-compliance with any relevant Standard as specified in the associated assessment criteria for the infringed standards; and</li> <li>2. The matters in <a href="#">TR-P3</a>.</li> </ul>	Support	<p>WIAL supports and provide opportunities for the use of alternative modes of transport to and from Wellington Airport. However, due to the characteristics of passengers (i.e. typically carrying luggage), the uptake of pedestrian, cycling and micromobility transportation is and will likely continue to be much lower than alternative vehicular options such as private car, taxi or bus in the Airport Zone.</p> <p>WIAL therefore supports the exclusion of the Airport Zone from Table TR-7, and thus TR-S2, TR-S3 not being relevant to the Airport Zone.</p>	Retain as notified.

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<b>NGĀ MŌREAREA ME NGĀ TŪRARU - HAZARDS AND RISKS</b>			
<b>Te One Hawa - Contaminated Land</b>			
<b>Introduction</b> <b>CL-O1 Protection of human health from contaminants</b> <b>CL-O2 Benefit of remediating contaminated land</b> <b>CL-P1 Benefit of remediating contaminated land</b> <b>CL-P2 Identification of contaminated and potentially contaminated land</b> <b>CL-P3 Management of contaminated land</b>	Support	The Contaminated Land chapter does not contain methods. WIAL generally supports the approach taken within this chapter and considers that it is appropriate to avoid unnecessary duplication where other legislation comprehensively and effectively controls such matters.	Retain as notified
<b>Ngā Matū Mōrearea - Hazardous Substances</b>			
<b>Introduction</b> <b>HS- O1 Protection from unacceptable residual risk</b> <b>HS – O2 Protection of established facilities</b> <b>HS-P1 Residual risk to people and communities</b> <b>HS-P2 Location of hazardous facilities and activities</b> <b>HS-P3 Sensitive activities</b> <b>HS-R1 The manufacture, use, storage, transportation or disposal of hazardous substances</b>	Support	The Hazardous Substances chapter only seeks to manage the residual and cumulative risks associated with hazardous substances. WIAL generally supports the approach taken within this chapter and considers that it is appropriate to avoid unnecessary duplication where other legislation comprehensively and effectively controls the storage, transportation and use of such substances.	Retain as notified.
<b>Ngā Mōrearea ā-Taiao - Natural Hazards</b>			
<b>Introduction</b> ..... Hazard sensitivity ..... If an activity is not identified in the definitions is proposed in a Natural Hazard Overlay, then for the purposes of the application it shall be assessed as a less hazard sensitivity activity. The exception to this are Wellington Airport, operational port activities, passenger port facilities and rail activities. These have been specifically excluded from the hazard classification above and they have their own District Plan framework, for development for these activities. This is in recognition of the social and economic benefits these activities have and that their position in the City is largely fixed. When considering development for the purposes of the Wellington Airport, operational port activities, passenger port facilities and rail activities, then this will be assessed against the specific policies and rules provided in this chapter. Other relevant District Plan provisions ... These chapters all take the same risk-based approach to natural hazards. To avoid duplication, the natural hazards chapter provides an overview of all hazards within the Wellington City and the risk-based approach to managing those hazards (both coastal and non-coastal). However, the objectives, policies and rules in the Natural Hazards Chapter only deal with non-coastal hazards. The objectives, policies and rules in the Coastal Environment Chapter address coastal hazards.	Support	WIAL supports the recognition of Wellington Airport within the introductory text.	Retain as notified.



PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p><b>NO-01</b></p> <p><b>Risk from natural hazards</b></p> <p>Subdivision, use and development within the Natural Hazard Overlays reduce or do not increase the risk from natural hazards to people, property and infrastructure.</p>	Oppose	<p>For the reasons set out in paragraphs 4.85 to 4.92, WIAL does not support this objective.</p> <p>Furthermore, and as set out in Objective SRCC-O2, the risks from natural hazards should be avoided where they are intolerable. This concept should be brought into this policy and acknowledges that people, activities, property and infrastructure have varying levels of coastal hazard tolerance.</p>	<p>Delete or amend the objective as follows:</p> <p><b>CE-05 Risk from natural hazards</b></p> <p><i>Subdivision, use and development in the Natural Hazard Overlays do not create an intolerable level of <del>reduces or does not increase the risk to people, property, and infrastructure.</del></i></p>
<p><b>NH-04 Operational port activities, passenger port facilities and rail activities</b></p> <p>Operational port activities, passenger port facilities and rail activities are provided for, while also ensuring that subdivision, development and use of land occupied by operational port activities, passenger port facilities and rail activities do not increase the risk to people, property and infrastructure.</p>	Oppose	<p>The activities listed have operational and functional constraints which ultimately govern the location of these activities, including within areas exposed to natural hazard risk. This objective needs to appropriately recognise this, and consistent with the directive contained within SRCC-O2, avoid areas where the risks are intolerable, taking into consideration operational and functional constraints associated with identified activities.</p>	<p>Delete or amend the objective as follows:</p> <p><b>NH-04 Airport, <del>Operational port activities, passenger port facilities and rail activities</del></b></p> <p><i>Airport, <del>Operational port activities, passenger port facilities and rail activities</del> are provided for, while also ensuring that subdivision, development and use of land occupied by operational port activities, passenger port facilities and rail activities do not <u>create an intolerable level of increase the risk to people, property, and infrastructure.</u></i></p>
<p><b>NH-P1 Identification of natural hazards</b></p> <p>Identify natural hazards within the District Plan and take a risk-based approach to the management of subdivision, use and development based on:</p> <p>1. The sensitivity of the activities to the impacts of natural hazards; and</p> <p>The hazard posed to people's lives and wellbeing, property and infrastructure, by considering the likelihood and consequences of natural hazard events.</p>	Oppose	<p>For the reasons set out in paragraphs 4.85 to 4.92, WIAL opposes this policy.</p> <p>The concept of tolerability also needs to be brought into the policy, as per Objective SRCC-O2, to recognise that different activities, people, property and infrastructure will have a different tolerance to the effects of coastal hazards.</p>	<p>Delete the policy or amend to introduce the concept of tolerability.</p>
<p><b>NH-P2 Levels of risk</b></p> <p>Subdivision, use and development reduce or do not increase the risk to people, property and infrastructure by:</p> <p>1. Allowing for those buildings and activities that have either low occupancy or low replacement value within the low, medium and high hazard areas of the Natural Hazard Overlays;</p> <p>2. Requiring buildings and activities to mitigate the impacts from natural hazards to people, property and infrastructure in the low hazard and medium hazard areas within the Natural Hazard Overlays; and</p> <p>3. Avoiding buildings and activities in the high hazard areas of the Natural Hazard Overlays unless there is an exceptional reason for the building or activity to be located in this area and the activity mitigates the impacts from natural hazards to people, property and infrastructure.</p>	Oppose	<p>For the reasons set out in paragraphs 4.85 to 4.92, WIAL opposes this policy.</p> <p>The concept of tolerability also needs to be brought into the policy, as per Objective SRCC-O2, to recognise that different activities, people, property and infrastructure will have a different tolerance to the effects of coastal hazards.</p>	<p>Delete the policy or amend to introduce the concept of tolerability.</p>
<b>Ngā Uara ā-Hītori me te Ahurea - Historical and Cultural Values</b>			
<b>Ngā Wāhi Tapu ki te Māori - Sites and Areas of Significance to Māori</b>			
<p><b>Introduction</b></p> <p>...The location of each site and area of significance has been determined with the guidance and direction of mana whenua. The provision of categorisation gives a tool to understand that although there are similarities</p>	Oppose in part	<p>WIAL supports the clarification provided by the introductory text that the provisions of this chapter only apply to the use,</p>	<p>Retain as notified, subject to the general relief sought by WIAL in the covering submission.</p>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
within the rule framework, that within consultation with iwi there may be different outcomes depending on the taonga. To ensure the effects of development on the mana and unique significance of each site and area is managed the extent of each site has been mapped. The provisions of this chapter apply to the use, development and activities within this identified extent.		development and activities located within the mapped extent of the scheduled Sites and Areas of Significance to Māori.	
<b>SASM-O1 Purpose</b> Sites and areas of significance to Māori are identified for their cultural significance and their contribution to an understanding and appreciation of the relationship mana whenua have with the landscape and the history of Wellington City.	Oppose in part	WIAL supports the identification and mapping of areas and sites of significance to Māori and considers it is appropriate to protect these areas from inappropriate subdivision, use and development.	Retain as notified, subject to the general relief sought by WIAL in the covering submission.
<b>SASM-O2 Protecting sites and areas of significance to Māori</b> Sites and areas of significance to Māori are retained and protected from inappropriate use, subdivision and development.	Oppose in part		
<b>SASM-O3 Kaitiakianga</b> Mana whenua are enabled to exercise kaitiakitanga in relation to sites and areas of significance.	Oppose in part.		Delete these provisions or update the planning framework, either broadly or insofar as it relates to Maupuia Pā and Moa Point, to exclude these sites or provide greater clarity around the application of the planning framework particularly where it relates to existing heavily modified environments and the ongoing operation, maintenance, use and development of regionally significant infrastructure.
<b>SASM -P1 Identifying sites and areas of significance to Māori</b> Identify sites and areas that have significance to Māori.		For the reasons set out in paragraphs 4.81 to 4.84 of the covering submission, WIAL opposes these provisions to the extent that apply to the two identified sites at the regionally significant Wellington International Airport.	
<b>SASM -P2 Maintenance and repair</b> Enable maintenance and repair activities on sites and areas of significance to Māori where the spiritual and cultural values of the site or area are protected.			
<b>SASM-P4 Construction of buildings and structures within sites and areas of significance</b> Provide for the construction of buildings and structures within sites and areas of significance to Māori where it can be demonstrated that the spiritual and cultural values of the site will be protected and maintained, having regard to: <ol style="list-style-type: none"> <li>1. The cultural and spiritual values of the site or area;</li> <li>2. Consultation undertaken with mana whenua;</li> <li>3. The extent to which the building or structure respects the tikanga of the site or area of significance;</li> <li>4. The extent to which the values of mana whenua incorporated into the proposal;</li> <li>5. Whether alternative methods, locations or designs are available that would reduce the impact on the identified site or area of significance;</li> <li>6. Any positive effects of the development for mana whenua or opportunities to enhance the cultural values of the site;</li> <li>7. The extent to which mana whenua retain access and use of the site or area;</li> <li>8. The extent to which the building or structure is set back from the boundary with the site or area of significance;</li> <li>9. Where adjacent to marae complex, the extent to which the new building or structure has been designed or oriented to prevent windows or balconies from looking directly into or over marae;</li> <li>10. Whether landscaping or screening are proposed to reduce overlooking or provide screening from the site or area of significance;</li> <li>11. The positioning and orientation of the building or structure relative to the site or area of significance; and</li> <li>12. The extent to which the exterior treatment and materials of the new building or structure are compatible with the site or area of significance.</li> </ol>			

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p><b>SASM-P5 Modification of features integral to a Category A or B site or area of significance to Māori and extension of the footprint of existing buildings</b></p> <p>Provide for the modification of features integral to a Category A or B site or area of significance to Māori and extension of the footprint of existing buildings where it can be demonstrated that the spiritual and cultural values of the site will be protected and maintained, having regard to:</p> <ol style="list-style-type: none"> <li>1. Consultation undertaken with mana whenua;</li> <li>2. The extent to which the values of mana whenua have been incorporated into the proposal;</li> <li>3. Whether alternative methods, locations or designs are available that would avoid or reduce the impact on the identified site or area of significance;</li> <li>4. Any positive effects of for mana whenua or opportunities to enhance the cultural values of the site; and</li> <li>5. The extent or ability for mana whenua to access and use of the site or area.</li> </ol>			
<p><b>SASM-P6 Destruction of sites and areas of significance</b></p> <p>Avoid the demolition or destruction of sites and areas of significance to Māori</p>			
<p><b>SASM-R2 Undertaking cultural rituals, practices, and tikanga Māori in sites and areas of significance in Category A, Category B and Category C</b></p> <ol style="list-style-type: none"> <li>1. Activity status: <b>Permitted</b></li> </ol>			
<p><b>SASM-R3 Modification of features integral to a Category A or B site or area of significance to Māori identified in SCHED7</b></p> <p><i>All Zones</i></p> <ol style="list-style-type: none"> <li>1. Activity status: <b>Permitted</b> Where: <ol style="list-style-type: none"> <li>a. The integral feature is a marae.</li> </ol> </li> </ol> <p><i>All Zones</i></p> <ol style="list-style-type: none"> <li>2. Activity status: <b>Restricted Discretionary</b> Where: <ol style="list-style-type: none"> <li>a. Compliance with the requirements of SASM-R4.1 cannot be achieved.</li> </ol> </li> </ol> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>1. The matters in <a href="#">SASM-P5</a>;</li> <li>2. Consultation undertaken with mana whenua; and</li> <li>3. The extent to which the values of mana whenua have been incorporated into the proposal.</li> </ol>			
<p><b>SASM-R4 New buildings or structures within a site or area of significance to Māori in Category A or B</b></p> <p><i>All Zones</i></p> <ol style="list-style-type: none"> <li>1. Activity status: <b>Permitted</b> Where: <ol style="list-style-type: none"> <li>a. The building is a marae.</li> </ol> </li> <li>2. Activity status: <b>Restricted Discretionary</b> Where: <ol style="list-style-type: none"> <li>a. Compliance with the requirements of <a href="#">SASM-R4.1</a> cannot be achieved.</li> </ol> </li> </ol>			

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>Matters of discretion are:</p> <p>1. The matters in <a href="#">SASM-P4</a>.</p> <p>Notification status: An application for resource consent made in respect of rule SASM-R4 is precluded from being limited or publicly notified.</p>			
<p><b>SASM-R5 Additions to the footprint of an existing buildings within sites and areas of significance Māori Category A or B</b></p> <p><i>All Zones</i></p> <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. The building is a marae.</p> <p>2. Activity status: <b>Restricted Discretionary</b></p> <p>Where:</p> <p>a. Compliance with the requirements of <a href="#">SASM-R5.1</a> cannot be achieved.</p> <p>Matters of discretion are:</p> <p>The matters in <a href="#">SASM-P5</a>;</p> <p>1. Consultation undertaken with mana whenua; and</p> <p>2. The extent to which the values of mana whenua have been incorporated into the proposal.</p> <p>Notification status: An application for resource consent made in respect of rule SASM-R5 is precluded from being limited or publicly notified.</p>			
<p><b>SASM-R6 Destruction or demolition of a site or area of significance to Māori in Category A and Category B</b></p> <p><i>All Zones</i></p> <p>1. Activity status: Non-Complying</p>			
<b>NGĀ UARA Ā-TAIAO MĀORI - NATURAL ENVIRONMENT VALUES</b>			
<b>Te Uru Tūmatanui - Public Access</b>			
<p><b>PA-O2 Adverse effects of public access</b></p> <p>Public access does not have a negative impact on existing values such as natural character, indigenous biodiversity, landscape values, historic heritage, sites of significance to Māori or the coastal environment.</p>	Oppose in part	Further changes are required to the objective to ensure there is a clear policy rationale for limbs 5 and 11 of Policy PA-P3.	<p>Delete or amend the objective as follows:</p> <p><b>PA-O2 Adverse effects of public access</b></p> <p><i>Public access does not have a negative impact on:</i></p> <p><u>a.</u> <i>existing values such as natural character, indigenous biodiversity, landscape values, historic heritage, sites of significance to Māori or the coastal environment; or</i></p> <p><u>b.</u> <i>Public health and safety, particularly with respect to the safe operation and functioning of the Port and Airport.</i></p>
<p><b>PA-P3 Restriction of public access</b></p> <p>Only allow for the restriction of public access to, along or adjacent to the coast and waterbodies where the restriction is necessary to:</p> <p>1. Protect threatened indigenous species; or</p>	Support	It is appropriate to limit the provision of public access when necessary to provide for the safe and efficient operation of activities at Wellington International Airport.	Retain as notified.

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
2. Protect dunes, estuaries and other sensitive natural areas or habitats; or 3. Protect sites and activities of cultural value to Māori; or 4. Protect historic heritage; or 5. Protect public health or safety; or 6. Avoid or reduce conflict between public uses of the coastal marine area and its margins; or 7. Provide for temporary activities or special events; or 8. Provide for defence purposes in accordance with the Defence Act 1990; or 9. Ensure a level of security consistent with the purpose of a resource consent; or 10. Address other exceptional circumstances sufficient to justify the restriction; or 11. Provide for the safe and efficient operation of the Port and Airport Zone.			
<b>WAWAETANGA - SUBDIVISION</b>			
<b>SUB-O1 Efficient pattern of development</b> Subdivision achieves an efficient development pattern that: 1. Maintains or enhances Wellington's compact urban form; 2. Is compatible with the nature, scale and intensity anticipated for the underlying zone and local context; 3. Enables appropriate future development and use of resulting land or buildings; and 4. Is supported by development infrastructure and additional infrastructure for existing and anticipated future activities.	Oppose in part	For the reasons set out in paragraphs 4.76 to 4.80 of the covering submission, WIAL opposes this objective.	Include a new limb within the objective as follows: <u>5. Avoids development that is incompatible with regionally significant infrastructure.</u>
<b>New Policy</b>		For the reasons set out in paragraphs 4.76 to 4.80 of the covering submission, WIAL submits that a new policy is required to address subdivision within the Air Noise Boundary and 60dB Ldn Noise Boundary.	Insert a new policy and method as follows: <b><u>SUB-P27 Subdivision of land affected by the Air Noise Boundary or 60dB Ldn Noise Boundary</u></b> <u>Avoid subdivision within the Air Noise Boundary or 60dB Ldn Noise Boundary where the potential future permitted density of noise sensitive activities will give rise to adverse reverse sensitivity effects on Wellington International Airport.</u>
<b>SUB-R4 Subdivision to create a new allotment for infrastructure</b> 1. Activity status: <b>Controlled</b> Where: a. Compliance is achieved with the following standards for any balance allotment: i. <a href="#">SUB-S1</a> ; ii. <a href="#">SUB-S6</a> ; and iii. <a href="#">SUB-S7</a> . Matters of control are: 1. The matters in <a href="#">SUB-P1</a> , <a href="#">SUB-P3</a> , <a href="#">SUB-P4</a> , <a href="#">SUB-P7</a> , and <a href="#">SUB-P8</a> ; 2. Site access and the design of any vehicle parking and associated maneuvering areas proposed; and 3. Any consent notices, covenants, easements or other legal instruments necessary.	Support	WIAL supports the specific provision for subdivision activities relating to infrastructure.  For the reasons set out in paragraphs 4.76 to 4.80 of the covering submission, WIAL submits that amendments are required to other provisions within the subdivision chapter to remove the complex and duplicating consenting requirements for activities within the Airport Zone.	Retain SUB-R4 as notified and delete the other subdivision methods insofar as they relate to infrastructure and/or provide clarification that the other provisions are not applicable to infrastructure.

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>Notification status: Applications under this rule are precluded from being publicly or limited notified.</p> <p>a. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <p>Compliance with any of the requirements of <a href="#">SUB-R4.1.a</a> cannot be achieved.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>The matters in <a href="#">SUB-P1</a>, <a href="#">SUB-P3</a>, <a href="#">SUB-P4</a>, <a href="#">SUB-P5</a>, <a href="#">SUB-P6</a>, <a href="#">SUB-P7</a>, and <a href="#">SUB-P8</a>;</li> <li>The extent and effect of non-compliance with any relevant Standard as specified in the associated assessment criteria for the infringed standards;</li> <li>Site access and the design of any vehicle parking and associated maneuvering areas proposed; and</li> <li>Any consent notices, covenants, easements or other legal instruments necessary.</li> </ol> <p>Notification status: Applications under this rule are precluded from being publicly notified.</p>			
<p><b>SUB-R17 Subdivision that creates building platforms for less hazard sensitive activities within the low, medium or high hazard areas of the Coastal Hazard Overlays or within the Flood Hazard, Liquefaction, Wellington Fault, Ohariu Fault, Sheppards Fault or Terawhiti Fault Overlays</b></p> <p><b>SUB-R19 Subdivision that creates building platforms for potentially hazard sensitive activities within the medium hazard area of the Coastal Hazard Overlays</b></p> <p><b>SUB-R20 Subdivision that creates building platforms for potentially hazard sensitive activities within overland flow path of the Flood Hazard Overlay, the Wellington Fault Overlay or the Ohariu Fault Overlay</b></p> <p><b>SUB-R21 Subdivision that creates building platforms for potentially hazard sensitive activities within the stream corridor of the Flood Hazard Overlay or the high hazard area of the Coastal Hazard Overlays</b></p> <p><b>SUB-R23 Subdivision that creates building platforms for hazard sensitive activities within the inundation area of the Flood Hazard Overlay or the low hazard area of the Coastal Hazard Overlays</b></p> <p><b>SUB-R24 Subdivision that creates building platforms for hazard sensitive activities within an overland flow path of the Flood Hazard Overlay or the medium hazard areas of the Coastal Hazard Overlays</b></p> <p><b>SUB-R25 Subdivision that creates building platforms for hazard sensitive activities within the stream corridor of the Flood Hazard Overlay, the Wellington Fault Overlay, the Ohariu Fault Overlay or the high hazard area of the Coastal Hazard Overlays</b></p>	Oppose	<p>For the reasons set out in paragraphs 4.76 to 4.80, WIAL opposes these provisions as it is not clear the circumstances where building platforms will be required to be identified as part of subdivision consent. This is inappropriate within the Airport Zone given the size of the land parcels and nature of the activities that are accommodated on site, even where the activity is for hazard sensitive or potentially hazard sensitive activities.</p>	<p>Amend to provide clarification around the requirement for building platforms, and provide that building platforms are not required at the time of subdivision within the Airport Zone.</p>
<p><b>SUB-R26 Subdivision within the Wellington Fault Overlay or medium or high coastal hazard areas on land occupied by City Centre Zone or Airport, operation port activities, passenger port facilities and rail activities</b></p> <p>1. Activity status: <b>Restricted Discretionary</b></p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>The matters in <a href="#">SUB-P1</a>, <a href="#">SUB-P3</a>, <a href="#">SUB-P4</a>, <a href="#">SUB-P5</a>, <a href="#">SUB-P7</a> and <a href="#">SUB-P8</a>;</li> <li>Site access and the design of any vehicle parking and associated maneuvering areas proposed;</li> <li>Any consent notices, covenants, easements or other legal instruments necessary;</li> <li>The matters in <a href="#">NH-P14</a> for building platforms associated with operation port activities, passenger port facilities and rail activities the that are located in the Wellington Fault Overlay;</li> </ol>	Support in part	<p>WIAL supports this rule subject to the amendments sought to Policy CE-P20 of the Proposed Plan.</p>	<p>Retain as notified only if WIAL's proposed amendments to CE-P20 are accepted. Otherwise, delete Matter of Discretion 5.</p>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>5. The matters in <a href="#">CE-P20</a> for subdivision on land occupied by the Airport, operation port activities, passenger port facilities and rail activities that are located in a medium or high coastal hazard areas; and</p> <p>The matters in <a href="#">CE-P22</a> for subdivision on land within the City Centre Zone that is located in a medium or high coastal hazard areas;</p>			
<p><b>SUB-R30 Subdivision within the Air Noise Boundary</b></p> <p>Activity Status: Discretionary</p>	<p>Support in part Oppose in part</p>	<p>For the reasons set out in paragraphs 4.62 to 4.75 of the covering submission, WIAL supports the discretionary activity status for subdivision within the Air Noise Boundary, however, submits that this rule should also apply to the 60dB Ldn Noise Boundary.</p>	<p>Amend the rule as follows:</p> <p><b><u>SUB-R30 Subdivision within the Air Noise Boundary or 60dB Ldn Noise Boundary</u></b></p> <p><i>Activity Status: Discretionary</i></p> <p><u>Notification status: For a resource consent application made in respect of Rule SUB-R30, WIAL must be considered to be an affected person in accordance with Section 95E of the RMA.</u></p>

ANNEXURE A – Wellington International Airport Limited submissions on the Proposed Wellington City Council District Plan

Text highlighted with underlining (*example*) represents proposed insertions

Text highlighted with strikethrough (*example*) represents proposed deletions

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<b>NGĀ KAUPAPA AROWHĀNUI O TE ROHE - GENERAL DISTRICT-WIDE MATTERS</b>			
<b>Taiao Takutai - Coastal Environment</b>			
<p><b>Introduction</b>            ....            The New Zealand Coastal Policy Statement 2010 also requires development to be set back from the coastal marine area and other water bodies, where practicable and reasonable (Policy 6). For this reason, within the landward extent of the coastal environment, riparian margin setbacks and a coastal margin setback are applied. Within these coastal margins and riparian margins within the coastal environment, activities are restricted to ensure that these sensitive areas are managed in a way that protects the natural character, open space, public access and amenity values of the coastal environment. Activities are still able to be undertaken within these areas, however activities such as new buildings will require consent to ensure the effects are minor and consider the character of the area. The coastal and riparian margin provisions do not apply in highly modified areas like the Port Zone or the City Centre Zone.            ...            The framework below provides a specific pathway for any development within either the City Centre Zone or the Wellington Airport, operational port activities, passenger port facilities and rail activities. Any activities within the City Centre Zone or are associated with the Wellington Airport, operational port activities, passenger port facilities and rail activities are assessed against their own specific objectives, policies and rules. This is in recognition of the social and economic benefits these activities have and that their position in the City is largely fixed.</p>	Support in part	<p>WIAL supports the recognition afforded to Wellington International Airport within the introductory text.</p> <p>WIAL submits however, that the introductory text should also reference the relevant enabling provisions within the NZCPS relating to the operational and functional needs of infrastructure.</p> <p>WIAL also submits that the area of Natural Open Space Zone between Lyall Bay and Moa Point is highly modified and includes and extensive seawall that is located within the coastal margin. This wall protects regionally significant infrastructure from coastal erosion, including the WCC wastewater network and Wellington International Airport. It also protects Moa Point Road. As per the approach used for the Port and City Centre Zone, the relevant coastal margin provisions should not apply to this area.</p>	<p>Amend as follows:</p> <p><i>The New Zealand Coastal Policy Statement 2010 also requires development to be set back from the coastal marine area and other water bodies, where practicable and reasonable (Policy 6). For this reason, within the landward extent of the coastal environment, riparian margin setbacks and a coastal margin setback are applied. Within these coastal margins and riparian margins within the coastal environment, activities are restricted to ensure that these sensitive areas are managed in a way that protects the natural character, open space, public access and amenity values of the coastal environment. Activities are still able to be undertaken within these areas, however activities such as new buildings will require consent to ensure the effects are minor and consider the character of the area. The coastal and riparian margin provisions do not apply in highly modified areas like the <u>Airport Zone, Port Zone, or the City Centre Zone, or the area of Natural Open Space Zone located between Lyall Bay and Moa Point.</u></i></p> <p>...</p> <p><i>The framework below provides a specific pathway for any development within either the City Centre Zone or the Wellington Airport, operational port activities, passenger port facilities and rail activities. Any activities within the City Centre Zone or are associated with the Wellington Airport, operational port activities, passenger port facilities and rail activities are assessed against their own specific objectives, policies and rules <u>contained in Part 3. This is in recognition of the social and economic benefits these activities have and that their position in the City is largely fixed as well as the policy directives of the NZCPS and RPS that recognise and provide for the functional and operational needs of infrastructure.</u></i></p>
<p><b>CE-O1 Coastal environment</b></p> <p>The natural character and qualities that contribute to the natural character within the landward extent of the coastal environment are maintained and, where appropriate, restored or enhanced.</p>	Support in part	<p>WIAL supports this objective to the extent that the natural character is recognised and addressed in the underlying land use zone and thus do not require an additional level of control within this chapter and other plan provisions recognise the importance of regionally significant infrastructure and the need to adversely</p>	<p>Retain as notified provided WIAL's general relief, as set out in paragraphs 4.48 to 4.49 of the covering submission, are accepted.</p>



PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
		affect natural character for operational or functional reasons.	
<p><b>CE-O3 Coastal margins and riparian margins</b></p> <p>Coastal margins and riparian margins in the landward extent of the coastal environment are protected from inappropriate subdivision, use and development.</p>	Support in part	<p>WIAL supports this objective to the extent that the protection of coastal margins are addressed in the underlying land use zone and thus do not require an additional level of control within this chapter and other plan provisions recognise the importance of regionally significant infrastructure and the need to adversely affect natural character for operational or functional reasons.</p>	Retain as notified provided WIAL's general relief, as set out in paragraphs 4.48 to 4.49 of the covering submission, are accepted.
<p><b>CE-O5 Risk from coastal hazards</b></p> <p>Subdivision, use and development in the Coastal Hazard Overlays reduces or does not increase the risk to people, property, and infrastructure.</p>	Oppose	<p>For the reasons set out in paragraphs 4.46 to 4.49 and 4.85 to 4.92, WIAL does not support this objective.</p> <p>Furthermore, and as set out in Objective SRCC-O2, the risks from natural hazards should be avoided where they are intolerable. This concept should be brought into this policy and acknowledges that people, activities, property and infrastructure have varying levels of coastal hazard tolerance.</p>	<p>Delete or amend the objective as follows:</p> <p><b>CE-O5 Risk from coastal hazards</b></p> <p><i>Subdivision, use and development in the Coastal Hazard Overlays <u>do not create an intolerable level of</u> <del>reduces or does not increase the risk to people, property, and infrastructure.</del></i></p>
<p><b>CE-O7 Airport, operational port activities, passenger port facilities and rail activities</b></p> <p>Airport, operational port activities, passenger port facilities and rail activities are provided for, while also ensuring that subdivision, development and use of land occupied by Airport, operational port activities, passenger port facilities and rail activities do not increase the risk to people, property, and infrastructure.</p>	Oppose	<p>The activities listed have operational and functional constraints which ultimately govern the location of these activities, including within areas exposed to natural hazard risk. This objective needs to appropriately recognise this, and consistent with the directive contained within SRCC-O2, avoid areas where the risks are intolerable, taking into consideration operational and functional constraints associated with identified activities.</p>	<p>Delete or amend the objective as follows:</p> <p><i>Airport, operational port activities, passenger port facilities and rail activities are provided for, while also ensuring that subdivision, development and use of land occupied by Airport, operational port activities, passenger port facilities and rail activities do not <u>create an intolerable level of</u> <del>increase the risk to people, property, and infrastructure.</del></i></p>
<p><b>CE-P2 Use and development within the coastal environment</b></p> <p>Provide for use and development in the landward extent of the coastal environment where it:</p> <ol style="list-style-type: none"> <li>1. Consolidates existing urban areas; and</li> <li>2. Does not establish new urban sprawl along the coastline.</li> </ol>	Support in part	<p>WIAL supports this objective to the extent that the use and development of the coastal environment, as set out in this policy, is addressed in the underlying land use zone and thus do not require an additional level of control within this chapter.</p>	Retain as notified provided WIAL's general relief, as set out in paragraphs 4.48 to 4.49 of the covering submission, are accepted.
<p><b>CE-P3 Restoration and enhancement within the coastal environment</b></p> <p>Provide for restoration or rehabilitation of the natural character values and coastal and riparian margins within the landward extent of the coastal environment by:</p> <ol style="list-style-type: none"> <li>1. Recognising the values present that could be enhanced;</li> <li>2. Encouraging natural regeneration of indigenous species, including where practical the removal of pest species;</li> <li>3. Rehabilitating dunes or other natural coastal features or processes;</li> <li>4. Restoring or protecting riparian and coastal margins;</li> <li>5. Removing redundant structures that do not have heritage or amenity value;</li> </ol>	Oppose	<p>As drafted, this policy has broad application within the entire coastal environment, despite generally being focussed on matters within the coastal margins. Providing for the restoration and rehabilitation of 'natural character values' within the landward extent of the coastal environment is inappropriate in areas that are highly modified and otherwise urbanised environments.</p>	<p>Delete or amend the policy as follows:</p> <p><i>Provide for restoration or rehabilitation of the natural character values <u>within the and</u> coastal and riparian margins <del>within the landward extent</del> of the coastal environment <u>where appropriate</u> by:</i></p> <ol style="list-style-type: none"> <li>1. ...</li> </ol>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>6. Modifying structures that interfere with coastal or ecosystem processes; or</p> <p>7. Providing for mana whenua to exercise their responsibilities as kaitiaki to protect, restore and maintain areas of indigenous biodiversity.</p>		<p>WIAL submits that this policy should be refined to apply to the coastal margins only.</p>	
<p><b>CE-P6 Use and development within coastal margins and riparian margins in the coastal environment – located inside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone, City Centre Zone or Evans Bay Marine Recreation Area</b></p> <p>Provide for use and development within coastal margins and riparian margins in the coastal environment where it is located in the highly modified Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or City Centre Zone or Evans Bay Marine Recreation Area.</p>	<p>Oppose</p>	<p>For the reasons set out in paragraphs 4.40 to 4.45 of the covering submission, WIAL opposes this policy to the extent that it does not recognise or provide for the existing hard engineering structures located between Lyall Bay and Moa Point which protect regionally significant infrastructure, including WCC's wastewater network and Wellington International Airport, as well as Moa Point Road, from the effects of coastal erosion.</p>	<p>Delete or amend the policy as follows:</p> <p><b><i>CE-P6 Use and development within coastal margins and riparian margins in the coastal environment – located inside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone, City Centre Zone or Evans Bay Marine Recreation Area or the Natural Open Space zone between Lyall Bay and Moa Point</i></b></p> <p><i>Provide for use and development within coastal margins and riparian margins in the coastal environment where it is located in the highly modified Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or City Centre Zone, or Evans Bay Marine Recreation Area or the area of Natural Open Space Zone located between Lyall Bay and Moa Point.</i></p> <p>Or relief to a similar effect if the area of Natural Open Space zoned land is rezoned to an alternative zoning, as per WIAL's submission.</p>
<p><b>CE-P7 Use and development within coastal margins and riparian margins in the coastal environment – located outside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone, City Centre Zone and the Evans Bay Marine Recreation Area</b></p> <p>Only allow use and development within coastal and riparian margins in the coastal environment outside of the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone, City Centre Zone or the Evans Bay Marine Recreation Area where:</p> <ol style="list-style-type: none"> <li>1. Any significant adverse effects on the natural character of the coastal environment are avoided and any other adverse effects on the natural character of the coastal environment are avoided, remedied or mitigated; and</li> <li>2. It can be demonstrated that: <ol style="list-style-type: none"> <li>a. Any proposed earthworks, building platform, building or structure are able to integrate with the existing landform, do not dominate the natural character of the area and do not limit or prevent public access to, along or adjacent to the coast and waterbodies;</li> <li>b. There is a functional or operational need for the activity to locate within the coastal or riparian margin;</li> <li>c. There are no reasonably practical alternative locations that are outside of the coastal or riparian margins or are less vulnerable to change; and</li> <li>d. Restoration or rehabilitation planting of indigenous species will be incorporated to mitigate any adverse effects.</li> </ol> </li> </ol>	<p>Oppose</p>		<p>Delete or amend the policy as follows:</p> <p><b><i>CE-P7 Use and development within coastal margins and riparian margins in the coastal environment – located outside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone, City Centre Zone, and the Evans Bay Marine Recreation Area or the area of Natural Open Space Zone located between Lyall Bay and Moa Point</i></b></p> <p><i>Only allow use and development within coastal and riparian margins in the coastal environment outside of the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone, City Centre Zone or the Evans Bay Marine Recreation Area or the area of Natural Open Space zoned land between Lyall Bay and Moa Point where:</i></p> <ol style="list-style-type: none"> <li>1. Any significant adverse effects on the natural character of the coastal environment are avoided and any other adverse effects on the natural character of the coastal environment are avoided, remedied or mitigated; and</li> <li>2. It can be demonstrated that: <ol style="list-style-type: none"> <li>a. Any proposed earthworks, building platform, building or structure are able to integrate with the existing landform, do not dominate the natural character of the area and <i>where appropriate</i> do not limit or prevent public access to, along or adjacent to the coast and waterbodies;</li> <li>b. There is a functional or operational need for the activity to locate within the coastal or riparian margin;</li> </ol> </li> </ol>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
			<p>c. <i>There are no reasonably practical alternative locations that are outside of the coastal or riparian margins or are less vulnerable to change; and</i></p> <p>d. <i>Where appropriate, restoration or rehabilitation planting of indigenous species will be incorporated to mitigate any adverse effects.</i></p> <p>Or relief to a similar effect if the area of Natural Open Space zoned land is rezoned to an alternative zoning, as per WIAL's submission.</p>
<p><b>CE-P10 Inappropriate activities within the coastal environment</b></p> <p>Avoid the establishment of activities that are incompatible with or detrimental to the natural character and qualities within the landward extent of the coastal environment.</p>	Oppose	WIAL opposes this policy. It is inappropriate for such a directive policy to apply to such a large and generally urbanised area, with highly variable levels of 'natural character and quality'. The extent to which an activity is 'incompatible with or detrimental to' with its surrounding environment, including its potential effects on coastal environment is addressed within the underlying land use zone provisions and the various natural environment overlays within the Proposed Plan.	Delete the policy.
<p><b>*CE-P11 Identification of coastal hazards</b></p> <p>Identify coastal hazards within the District Plan and take a risk-based approach to the management of subdivision, use and development based on the following:</p> <ol style="list-style-type: none"> <li>1. The sensitivity of the activities to the impacts of coastal hazards;</li> <li>2. The risk posed to people, property, and infrastructure, by considering the likelihood and consequences of different coastal hazard events; and</li> <li>3. The longer term impacts of climate change and sea level rise.</li> </ol>	Oppose	<p>For the reasons set out in paragraphs 4.85 to 4.92, WIAL opposes this policy.</p> <p>The concept of tolerability also needs to be brought into the policy, as per Objective SRCC-O2, to recognise that different activities, people, property and infrastructure will have a different tolerance to the effects of coastal hazards.</p>	Delete the policy or amend the policy to only apply to the coastal inundation hazard areas and recognise the concept of tolerability.
<p><b>*CE-P12 Levels of risk</b></p> <p>Subdivision, use and development reduces the risk to people, property, and infrastructure by:</p> <ol style="list-style-type: none"> <li>1. Enable subdivision, use and development that have either low occupancy, risk, or replacement value within the low, medium and high hazard areas of the Coastal Hazard Overlays;</li> <li>2. Requiring mitigation for subdivision, use and development that addresses the impacts from the relevant coastal hazards to people, property, and infrastructure in the low and medium hazard areas; and</li> <li>3. Avoiding subdivision, use and development in the high hazard area unless there is a functional and operational need for the building or activity to be located in this area and incorporates mitigation measures are incorporated that reduces the risk to people, property, and infrastructure.</li> </ol>	Oppose	<p>For the reasons set out in paragraphs 4.85 to 4.92, WIAL opposes this policy.</p> <p>The concept of tolerability also needs to be brought into the policy, as per Objective SRCC-O2, to recognise that different activities, people, property and infrastructure will have a different tolerance to the effects of coastal hazards.</p>	Delete the policy or amend the policy to only apply to the coastal inundation hazard areas and recognise the concept of tolerability.
<p><b>*CE-P14 Additions to buildings for potentially hazard sensitive activities and hazard sensitive activities within the medium coastal hazard area and high coastal hazard area</b></p> <p>Enable additions to buildings that accommodate existing potentially hazard sensitive activities and hazard sensitive activities within the medium coastal hazard area and high coastal hazard area, where:</p> <ol style="list-style-type: none"> <li>1. They enable the continued use of the existing building; and</li> <li>2. The risk from the coastal hazard is low due to either: <ol style="list-style-type: none"> <li>a. Proposed mitigation measures; or</li> </ol> </li> </ol>	Oppose	<p>For the reasons set out in paragraphs 4.85 to 4.92, WIAL opposes this policy.</p> <p>The concept of tolerability also needs to be brought into the policy, as per Objective SRCC-O2, to recognise that different activities, people, property and infrastructure will have a different tolerance to the effects of coastal hazards.</p>	Delete the policy or amend the policy to only apply to the coastal inundation hazard areas and recognise the concept of tolerability.

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
b. The size and the activity of the addition.			
<p><b>*CE-P15 Subdivision and hazard sensitive activities within the low coastal hazard areas</b></p> <p>Provide for hazard sensitive activities within the low coastal hazard area, or any subdivision where the building platform for a hazard sensitive activities within the low coastal hazard area, where it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>1. The activity, building, or subdivision incorporates measures that reduce or do not increase the risk to people, and property from a tsunami;</li> <li>2. There is the ability to access safe evacuation routes for occupants of the building in case of a tsunami.</li> <li>3. If the activity has a post disaster function, mitigation measures are incorporated to allow for the continued operation following a tsunami; and</li> <li>4. For health care facilities, retirement villages, educational facilities and childcare facilities, there is an evacuation plan that allows for the safe removal of all occupants prior to the arrival of the tsunami.</li> </ol>	Oppose	<p>For the reasons set out in paragraphs 4.85 to 4.92, WIAL opposes this policy.</p> <p>The concept of tolerability also needs to be brought into the policy, as per Objective SRCC-O2, to recognise that different activities, people, property and infrastructure will have a different tolerance to the effects of coastal hazards.</p>	Delete the policy or amend the policy to only apply to the coastal inundation hazard areas and recognise the concept of tolerability.
<p><b>*CE-P16 Potentially hazard sensitive activities within the medium coastal hazard areas</b></p> <p>Provide for potentially hazard-sensitive activities in the medium coastal hazard areas, or any subdivision where the building platform for a potentially hazard-sensitive activity will be within the medium coastal hazard areas where it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>1. The activity, building, or subdivision incorporates measures that reduce or do not increase the risk to people and property from the coastal hazard; and</li> <li>2. There is the ability to access safe evacuation routes for occupants of the building in case of a tsunami.</li> </ol>	Oppose	<p>For the reasons set out in paragraphs 4.85 to 4.92, WIAL opposes this policy.</p> <p>The concept of tolerability also needs to be brought into the policy, as per Objective SRCC-O2, to recognise that different activities, people, property and infrastructure will have a different tolerance to the effects of coastal hazards.</p>	Delete the policy or amend the policy to only apply to the coastal inundation hazard areas and recognise the concept of tolerability.
<p><b>*CE-P17 Hazard sensitive activities in the medium coastal hazard areas</b></p> <p>Only allow hazard-sensitive activities in the medium coastal hazard area where, or any subdivision where the building platform for a hazard-sensitive activity will be within the medium coastal hazard area, where it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>1. The activity, building, or subdivision incorporates measures that demonstrate that reduce or not increase the risk to people and property from the coastal hazard, and</li> <li>2. There is the ability to access safe evacuation routes for occupants of the building from the coastal hazard.</li> <li>3. If the activity has a post disaster function, mitigation measures are incorporated to allow for the continued operation following a coastal hazard event; and</li> <li>4. For health care facilities, retirement villages, educational facilities and childcare facilities, there is an evacuation plan that allows for the safe removal of all occupants prior to the arrival of the coastal hazard.</li> </ol>	Oppose	<p>For the reasons set out in paragraphs 4.85 to 4.92, WIAL opposes this policy.</p> <p>The concept of tolerability also needs to be brought into the policy, as per Objective SRCC-O2, to recognise that different activities, people, property and infrastructure will have a different tolerance to the effects of coastal hazards.</p>	Delete the policy or amend the policy to only apply to the coastal inundation hazard areas and recognise the concept of tolerability.
<p><b>CE-P19 Subdivision, use and development which will not be occupied by members of the public, or employees associated with the Airport, operation port Activities, passenger port facilities and rail activities in the Coastal Hazards Overlays</b></p> <p>Enable subdivision, development and use associated with the Airport, operation port activities, passenger port facilities and rail activities within the Coastal Hazard Overlays, where they do not involve the construction of new buildings which will be occupied by members of the public, or more than 10 employees associated with either of these activities or the creation of vacant allotments.</p>	Oppose	<p>For the reasons set out in paragraphs 4.85 to 4.92, WIAL opposes this policy.</p> <p>The concept of tolerability also needs to be brought into the policy, as per Objective SRCC-O2, to recognise that different activities, people, property and infrastructure will have a different tolerance to the effects of coastal hazards.</p>	Delete the policy or amend the policy to only apply to the coastal inundation hazard areas and recognise the concept of tolerability.
<p><b>CE-P20 Subdivision, use and development which will be occupied by members of the public, or employees associated with the Airport, operation port activities, passenger port facilities and rail activities in the Coastal Hazards Overlays</b></p> <p>Manage subdivision, development and use associated with the Airport, operation port activities, passenger port facilities and rail activities within the Coastal Hazard Overlays where they involve the construction of new buildings</p>	Oppose	<p>For the reasons set out in paragraphs 4.85 to 4.92, WIAL opposes this policy.</p> <p>The concept of tolerability also needs to be brought into the policy, as per Objective SRCC-O2, to recognise that different activities, people, property and</p>	Delete the policy or amend the policy to only apply to the coastal inundation hazard areas and recognise the concept of tolerability.

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>which will be occupied by members of the public, or over 10 employees associated with either of these activities by ensuring that:</p> <ol style="list-style-type: none"> <li>1. The activity, building or subdivision incorporates measures that do not increase the risk to people, property, and infrastructure; and</li> <li>2. There is the ability to access safe evacuation routes for occupants of the building from the coastal hazard.</li> </ol>		<p>infrastructure will have a different tolerance to the effects of coastal hazards.</p>	
<p><b>CE-P26 Hard engineering measures</b></p> <p>Only allow for hard engineering measures for the reduction of the risk from coastal hazards where:</p> <ol style="list-style-type: none"> <li>1. The engineering measures are needed to protect existing nationally and regionally significant infrastructure and it can be demonstrated that there is no practicable alternative;</li> <li>2. There is an immediate risk to life or private property from the coastal hazard;</li> <li>3. The construction of the hard engineering measures will not increase the risk from Coastal Hazards on adjacent properties that are not protected by the hard engineering measures;</li> <li>4. It avoids the modification or alteration of natural features and systems in a way that would compromise their function as natural defences;</li> <li>5. Hard engineering structures are designed to minimise adverse effects on the coastal environment, Significant natural features and systems and any adverse effects are avoided; remedied or mitigated; and</li> <li>6. It can be demonstrated that green infrastructure measures would not provide an appropriate level of protection in relation to the significance of the risk.</li> </ol>	<p>Oppose</p>	<p>The directive nature of this policy, coupled with the conjunction “and” sets an unduly onerous threshold for hard engineering measures which protect regionally significant infrastructure. It also discourages proactive maintenance and repair of hard engineering structures, as the policy pathway only triggers (due to the conjunction) when there is an ‘immediate risk to life or property’.</p> <p>Leaving such structures until the risk reaches this threshold may also result in a larger scale repair/replacement programme, resulting in larger environmental effects and costs.</p> <p>WIAL therefore submits that the conjunction ‘or’ should be used between each limb. WIAL also considers that this policy should relate to new sea walls, and not the upgrading, maintenance or repair of existing sea walls (or existing sea walls that protect existing regionally significant infrastructure.</p>	<p>Delete or amend the policy as follows:</p> <p><i>Only allow for <u>new</u> hard engineering measures for the reduction of the risk from coastal hazards where:</i></p> <ol style="list-style-type: none"> <li>1. <i>The engineering measures are needed to protect existing nationally and regionally significant infrastructure and it can be demonstrated that there is no practicable alternative; <u>or</u></i></li> <li>2. <i>There is an immediate risk to life or private property from the coastal hazard; <u>or</u></i></li> <li>3. <i>The construction of the hard engineering measures will not <u>create an intolerable</u> increase the risk from Coastal Hazards on adjacent properties that are not protected by the hard engineering measures; <u>or</u></i></li> <li>4. <i>It avoids the modification or alteration of natural features and systems in a way that would compromise their function as natural defences; <u>or</u></i></li> <li>5. <i>Hard engineering structures are designed to minimise adverse effects on the coastal environment; <u>or</u></i></li> <li>6. <i>Significant natural features and systems and any adverse effects are avoided; remedied or mitigated; <u>and/or</u></i></li> <li>7. <i>It can be demonstrated that green infrastructure measures would not provide an appropriate level of protection in relation to the significance of the risk.</i></li> </ol>
<p><b>CE-R4 Vegetation trimming or removal within the coastal environment, outside of high coastal natural character areas</b></p> <p>All Zones</p> <p>Activity status: <b>Permitted</b></p>	<p>Oppose</p>	<p>This rule is inefficient and should be addressed to the extent relevant within the underlying zone provisions.</p>	<p>Delete this rule.</p>
<p><b>CE-R7 Any activity not otherwise listed as permitted, restricted discretionary, discretionary or non-complying within the coastal environment but:</b></p>	<p>Oppose</p>	<p>As set out in paragraphs 4.30 to 4.31 and 4.48 of the covering submission, these rules are inefficient and do not relate to effects management within the Coastal Environment. Instead, the triggers are non-compliance with rules or standards of the underlying land use zone.</p>	<p>Delete these rules.</p>
<p><b>CE-R8 Any activity not otherwise listed as permitted, restricted discretionary or non-complying within the coastal environment, within coastal or riparian margins</b></p>			
<p><b>CE-R12 Construction, addition or alteration of buildings and structures, within the coastal environment:</b></p> <ul style="list-style-type: none"> <li>• Outside of high coastal natural character areas; and</li> <li>• Outside of coastal and riparian margins.</li> </ul>		<p>WIAL submits that these rules should be deleted. If consideration of coastal environment provisions is relevant to a restricted discretionary activity within the underlying land use zone, this should</p>	
<p><b>CE-R14 Additions and alterations to existing buildings and structures within in the coastal environment:</b></p> <ul style="list-style-type: none"> <li>• Within coastal or riparian margins</li> </ul>			

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p><b>CE-R15 Construction of new buildings and structures within in the coastal environment and within coastal or riparian margins</b></p>		<p>instead be referenced within those matters of discretion.</p> <p>Furthermore, the matters of discretion listed under CE-R12 include policies relating to Public Access along coastal margins. This rule does not apply to coastal margins.</p>	
<p><b>*CE-R16 Less hazard sensitive activities within all the Coastal Hazard Overlays</b></p> <p><b>All Zones</b></p> <p>1. <b>Activity Status: Permitted</b></p>	Oppose	<p>For the reasons set out in paragraphs 4.30 to 4.31 and 4.48 of the covering submission and to avoid unnecessary duplication with the Proposed Plan, this chapter should focus on those additional consent requirements necessary to manage effects within the coastal hazard overlays that cannot be adequately dealt with by the underlying zone rules.</p>	Delete this rule.
<p><b>*CE-R18</b></p> <p><b>Additions to buildings within the Coastal Hazard Overlays</b></p> <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. The additions are to a hazard sensitive activity or potentially hazard sensitive activity in the low coastal hazard area;</li> <li>b. The additions are to buildings for a less hazard sensitive activity in either the low coastal hazard area, medium coastal hazard area or high coastal hazard area;</li> <li>c. The additions are to a potentially hazard sensitive activity in the medium coastal hazard area and they do not increase the building footprint by more than 100m<sup>2</sup>; or</li> <li>d. The additions are to a hazard sensitive activity in the medium coastal hazard area and they do not increase the building footprint by more than 50m<sup>2</sup>.</li> </ul> <p>2. Activity status: <b>Restricted discretionary</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. Compliance with the requirements of <a href="#">CE-R18.1.c</a> or <a href="#">CE-R18.1.d</a> cannot be achieved; or</li> <li>b. The addition is to a potentially hazard sensitive activity or a hazard sensitive activity within a high coastal hazard area.</li> </ul> <p>Matters of discretion are:</p> <ul style="list-style-type: none"> <li>1. The matters in <a href="#">CE-P14</a>.</li> </ul>	Oppose	<p>For the reasons set out in paragraphs 4.85 to 4.92 of the covering submission, this rule should be deleted or reworked to apply to coastal hazard inundation areas only.</p>	Delete the rule or rework the rule to apply to coastal inundation hazard areas only.
<p><b>CE-R19 Airport, operation port activities, passenger port facilities and rail activities within the Coastal Hazard Overlay</b></p> <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. It does not involve the construction of a building that would be occupied by more than 10 employees of the activity, or any members of the public; or</li> <li>b. It does not involve the conversion of an existing building into a building that would be occupied by more than 10 employees of the activity, or any members of the public.</li> </ul> <p>2. Activity status: <b>Restricted discretionary</b></p>	Oppose	<p>For the reasons set out in paragraphs 4.85 to 4.92 of the covering submission, this rule should be deleted or reworked to apply to coastal hazard inundation areas only.</p>	Delete the rule or rework the rule to apply to coastal inundation hazard areas only.

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<p>Where:</p> <p>a. Compliance with the requirements of <a href="#">CE-R19.1</a> cannot be achieved</p> <p>Matters of discretion are:</p> <p>The matters in <a href="#">CE-P20</a>.</p>			
<p><b>*CE-R21 Potentially hazard sensitive activities in the low coastal hazard area</b></p> <p>1. Activity Status: Permitted</p>	Oppose	For the reasons set out in paragraphs 4.30 to 4.31 and 4.48 of the covering submission and to avoid unnecessary duplication with the Proposed Plan, this chapter should focus on those additional consent requirements necessary to manage effects within the coastal hazard overlays that cannot be adequately dealt with by the underlying zone rules.	Delete this rule.
<p><b>*CE-R22 Hazard sensitive activities in the low coastal hazard area</b></p> <p>1. Activity Status: <b>Permitted</b></p> <p>Where:</p> <p>a. The development does not involve the construction of a childcare service, retirement village educational facility, hospital, emergency service facility or health care facility; or</p> <p>b. If the development involves the construction of residential units, the total number of residential units on a site is no more than three.</p> <p>2. Activity Status: <b>Restricted Discretionary</b></p> <p>Where:</p> <p>a. Compliance with the requirements of <a href="#">CE-R22.1.a</a> cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The matter in <a href="#">CE-P15</a>.</p>	Oppose	For the reasons set out in paragraphs 4.85 to 4.92 of the covering submission, this rule should be deleted or reworked to apply to coastal hazard inundation areas only.	Delete the rule or rework the rule to apply to coastal inundation hazard areas only.
<p><b>*CE-23 Potentially hazard sensitive activities in the medium coastal hazard area, excluding the City Centre Zone or Airport, operation port activities, passenger port facilities and rail activities</b></p> <p>1. Activity Status: <b>Restricted Discretionary</b></p> <p>Matters of discretion are:</p> <p>1. The matters in <a href="#">CE-P14</a>.</p>	Oppose	For the reasons set out in paragraphs 4.85 to 4.92 of the covering submission, this rule should be deleted or reworked to apply to coastal hazard inundation areas only.	Delete the rule or rework the rule to apply to coastal inundation hazard areas only.
<p><b>*CE-R24 All hard engineering measures in the high coastal hazard area</b></p> <p>1. Activity Status: Discretionary</p>	Oppose	<p>For the reasons set out in paragraphs 4.40 to 4.45 of the covering submission, WIAL opposes this rule insofar as it relates to the existing seawall located between Lyall Bay and Moa Point.</p> <p>WIAL submits that the rule should only be applicable to new hard engineering structures. The ongoing upgrade, maintenance and repair of existing hard engineering structures that protect existing regionally significant infrastructure should be permitted, as WIAL has provided for in the underlying Natural Open Space Zone.</p>	<p>Delete or amend Rule CE-R24 and insert a new rule as follows. Note the new rule should not be subject to the ISPP as this rule does not relate to housing.</p> <p><b>CE-R24 New All hard engineering measures in the high coastal hazard area except measures associated with regionally significant infrastructure</b></p> <p>1. Activity Status: Discretionary</p> <p><b>CE – R24A Hard engineering measures in the high coastal hazard area for regionally significant infrastructure</b></p> <p>1. Activity Status: Permitted</p>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p><b>*CE-R26 Hazard sensitive activities within the medium coastal hazard area, excluding the City Centre Zone or Airport, operation port activities, passenger port facilities and rail activities</b></p> <p>1. Discretionary</p>	Oppose	For the reasons set out in paragraphs 4.85 to 4.92 of the covering submission, this rule should be deleted or reworked to apply to coastal hazard inundation areas only.	Delete the rule or rework the rule to apply to coastal inundation hazard areas only.
<b>Ngā Mahi Apu Whenua - Earthworks</b>			
<p><b>Introduction</b> [Not set out in full here]</p> <p>...The provisions of this chapter do not apply in relation to activities provided for in the <a href="#">Airport Chapter</a>, except to the extent specified in <a href="#">EW-R20</a> and <a href="#">EW-S14</a>.</p>	Oppose in part	For the reasons set out in paragraphs 4.93 to 4.96, WIAL opposes the earthworks provisions insofar as they relate to the Airport Zone.	Delete the reference to EW-20 to EW-S14 so that the chapter does not apply to the Airport Zone.
<p><b>EW-P12 Earthworks within coastal margins and riparian margins within the coastal environment</b></p> <p>Provide for earthworks within coastal margins and riparian margins within the coastal environment where located inside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or City Centre Zone; and</p> <p>Only allow for earthworks within coastal and riparian margins in the coastal environment located outside of the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or the City Centre Zone where:</p> <ol style="list-style-type: none"> <li>1. They are of a scale and for a purpose that is compatible with the natural character of the coastal or riparian margin concerned;</li> <li>2. They are undertaken in a manner that avoids significant adverse effects and avoids, remedies or mitigates any other adverse effects on the natural character of the coastal environment and the affected margins;</li> <li>3. There is a functional need or operational need for the earthworks to be undertaken within a coastal or riparian margin;</li> <li>4. They would not significantly increase the flooding risk, when compared to the existing situation, including by compromising the effectiveness of community scale natural hazard mitigation structures; and</li> <li>5. They incorporate measures to restore and rehabilitate disturbed areas.</li> </ol>	Oppose	<p>For the reasons set out in paragraphs 4.40 to 4.45 of the covering submission, WIAL opposes this policy to the extent that it does not recognise or provide for the existing hard engineering structures located between Lyall Bay and Moa Point which protect regionally significant infrastructure, including WCC's wastewater network and Wellington International Airport, as well as Moa Point Road, from the effects of coastal erosion.</p> <p>Or relief to a similar effect if the area of Natural Open Space zoned land is rezoned to an alternative zoning, as per WIAL's submission.</p>	<p>Delete or amend EW-P12 as follows:</p> <p><i>Provide for earthworks within coastal margins and riparian margins within the coastal environment where located inside the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or City Centre Zone, and within the Natural Open Space Zone between Lyall Bay and Moa Point; and</i></p> <p><i>Only allow for earthworks within coastal and riparian margins in the coastal environment located outside of the Port Zone, Airport Zone, Stadium Zone, Waterfront Zone or the City Centre Zone or the Natural Open Space Zone between Lyall Bay and Moa Point where:</i></p> <ol style="list-style-type: none"> <li>1. <i>They are of a scale and for a purpose that is compatible with the natural character of the coastal or riparian margin concerned;</i></li> <li>2. <i>They are undertaken in a manner that avoids significant adverse effects and avoids, remedies or mitigates any other adverse effects on the natural character of the coastal environment and the affected margins;</i></li> <li>3. <i>There is a functional need or operational need for the earthworks to be undertaken within a coastal or riparian margin;</i></li> <li>4. <i>They would not significantly increase the flooding risk, when compared to the existing situation, including by compromising the effectiveness of community scale natural hazard mitigation structures; and</i></li> <li>5. <i>They incorporate measures to restore and rehabilitate disturbed areas; and</i></li> <li>6. <i>They involve earthworks that support or protect regionally significant infrastructure.</i></li> </ol> <p>Or relief to a similar effect if the area of Natural Open Space zoned land is rezoned to an alternative zoning, as per WIAL's submission.</p>
<p><b>EW-R11 Earthworks within coastal or riparian margins within the coastal environment</b></p> <p>Port Zone, City Centre zone, Stadium Zone, Waterfront Zone</p> <p>1. Activity status: <b>Permitted</b></p>	Oppose	For the reasons set out in paragraphs 4.40 to 4.45 of the covering submission, WIAL opposes this rule to the extent that it does not recognise or provide for the existing hard engineering structures located	<p>Amend EW-R11 to:</p> <ol style="list-style-type: none"> <li>1. Include the relevant area of Natural Open Space zoned land, between Lyall Bay and Moa Point; and,</li> </ol>



PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>Where:</p> <p>a. Compliance is achieved with <a href="#">EW-R6</a></p> <p>Port Zone, City Centre zone, Stadium Zone, Waterfront Zone</p> <p>2. Activity status: <b>Restricted Discretionary</b></p> <p>Where:</p> <p>a. Compliance with any of the requirements of <a href="#">EW-R11.1</a> cannot be achieved.</p> <p>Matters of discretion are:</p> <p>1. The matters in <a href="#">EW-P12</a> and <a href="#">CE-P5</a>; and</p> <p>2. The matters in <a href="#">PA-P1</a>, <a href="#">PA-P2</a> and <a href="#">PA-P3</a>.</p>		<p>between Lyall Bay and Moa Point which protect regionally significant infrastructure, including WCC's wastewater network and Wellington International Airport, as well as Moa Point Road, from the effects of coastal erosion.</p> <p>Or relief to a similar effect if the area of Natural Open Space zoned land is rezoned to an alternative zoning, as per WIAL's submission.</p> <p>WIAL also submits that this rule is inefficient and does not relate to effects management within the Coastal Environment. Instead, the trigger is non-compliance with a general earthworks rule (EW-P6) and associated standards. WIAL notes that this rule is subject to the ISPP, which is inappropriate for activities that do not have a clear link to one of the mandatory outcomes, as discussed in paragraphs 4.32 to 4.39 of the covering submission.</p> <p>WIAL submits this this rule should be entirely reworked to standalone and reflect those elements of EW-P6 that are relevant to the coastal margins.</p>	<p>2. Be standalone and independent of EW-P6, which is subject to a ISPP process.</p> <p>3. Reflect those specific matters that require control within the coastal margins.</p>
<p><b>EW-R20 Earthworks in the Airport Zone</b></p> <p><b>Airport Zone</b></p> <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with <a href="#">EW-S14.1</a> and <a href="#">EW-S14.2</a>; and</p> <p>b. Compliance is achieved with <a href="#">EW-S14.3</a>; and</p> <p>c. Earthworks are for the purposes of the upgrade or maintenance of existing formed roads and public accessways; or</p> <p>d. Earthworks are for the purposes of construction, upgrade, maintenance or repair of the Airport pavement (apron and taxiway surfaces); or</p> <p>e. Earthworks permitted by any other rule.</p> <p>2. Activity status: <b>Restricted Discretionary</b></p> <p>Where:</p> <p>a. Compliance with any of the requirements of <a href="#">EW-R20.1.a</a> cannot be achieved:</p> <p>i. in the Rongotai Ridge Precinct;</p> <p>ii. in the Miramar South Precinct; and</p> <p>iii. in relation to the Hillock (south end of Terminal Precinct).</p> <p>Matters of discretion are:</p>	Oppose	For the reasons set out in paragraphs 4.93 to 4.96 of WIAL's covering submission, WIAL opposes EW-S14.	<p>Delete the rule or Amend the Earthworks chapter to be generally consistent with the operative District Plan earthwork planning framework, as follows:</p> <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance is achieved with <a href="#">EW-S14.1</a> to <a href="#">EW-S14.4</a> and <a href="#">EW-S14.2</a>; and</p> <p>b. Compliance is achieved with <a href="#">EW-S14.3</a>; and</p> <p>c. <del>Earthworks are for the purposes of the upgrade or maintenance of existing formed roads and public accessways; or</del></p> <p>d. <del>Earthworks are for the purposes of construction, upgrade, maintenance or repair of the Airport pavement (apron and taxiway surfaces); or</del></p> <p>e. <del>Earthworks permitted by any other rule.</del></p> <p>2. Activity status: <b>Restricted Discretionary</b></p> <p>Where:</p> <p>a. Compliance with any of the requirements of <a href="#">EW-20.1a</a> cannot be achieved; or</p>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>1. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standards;</p> <p>2. Relevant matters in <a href="#">AIRPZ-P4</a> and <a href="#">AIRPZ-P5</a>;</p> <p>3. Visual appearance and mitigation; and</p> <p>4. Geomorphological impacts.</p> <p>3. Activity status: <b>Discretionary</b></p> <p>Where:</p> <p>a. Compliance with <a href="#">EW-R20.1.b, c or d</a> cannot be achieved.</p> <p>Notification Status: an application for resource consent made in respect of rule EW-R20.3 must be publicly notified.</p>			<p>b. <u>Earthworks associated with the construction of new legal roads.</u></p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standards;</li> <li>Relevant matters in <a href="#">AIRPZ-P3</a> and <a href="#">AIRPZ-P4</a>, <a href="#">AIRPZ-P4</a> and <a href="#">AIRPZ-P5</a>;</li> <li>Visual appearance and mitigation; and</li> <li>Geomorphological impacts.</li> <li>Traffic impacts caused by transporting earth and construction fill material.</li> </ol> <p><del>2. Activity status: <b>Discretionary</b></del></p> <p><del>Where:</del></p> <p><del>a. Compliance with EW-R20.1.b, c or d cannot be achieved.</del></p> <p><del>Notification Status: an application for resource consent made in respect of rule EW-R20.3 must be publicly notified.</del></p> <p>(Note reference to AIRPZ-P3 and P4 are to the Annexure B version of these provisions, not the Airport Chapter as notified).</p>
<p><b>EW-S14 Earthworks in the Airport Zone</b></p> <p><i>Airport Zone</i></p> <ol style="list-style-type: none"> <li>In the Rongotai Ridge Precinct, or in relation to the Hillock at the south end of the Terminal precinct earthworks shall not: <ol style="list-style-type: none"> <li>Alter the existing ground level by more than 2.5 metres measured vertically.</li> <li>Disturb more than 250m<sup>2</sup> of ground surface.</li> <li>Be undertaken on slopes of more than 34°.</li> </ol> </li> <li>In the Miramar South Precinct, earthworks must be undertaken in accordance with an Erosion and Sediment Control Plan prepared in accordance with the Erosion and Sediment Control Guidelines for the Wellington Region (or equivalent)</li> <li>In all areas, a structure used to retain or stabilize a slope must be no higher than 2.5m measured vertically.</li> </ol> <p>Except:</p> <ol style="list-style-type: none"> <li>The construction, upgrade or maintenance of: <ol style="list-style-type: none"> <li>Apron and taxiway surfaces.</li> <li>Road and accessway surfaces.</li> </ol> </li> </ol> <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>Rongotai Ridge Precinct: <ol style="list-style-type: none"> <li>Extent of cut faces;</li> <li>Enhancement of pedestrian and cycle networks;</li> </ol> </li> </ol>	Oppose	For the reasons set out in paragraphs 4.93 to 4.96 of WIAL's covering submission, WIAL opposes EW-S14.	<p>Delete or amend the rule as follows:</p> <ol style="list-style-type: none"> <li><del>In the Rongotai Ridge Precinct, or in relation to the Hillock at the south end of the Terminal precinct earthworks shall not:</del> <ol style="list-style-type: none"> <li><del>Alter the existing ground level by more than 2.5 metres measured vertically.</del></li> <li><del>Disturb more than 250m<sup>2</sup> of ground surface.</del></li> <li><del>Be undertaken on slopes of more than 34° in relation to the Hillock and 45° in relation to the Rongotai Ridge Precinct.</del></li> </ol> </li> <li><del>In the Miramar South Precinct, earthworks must be undertaken in accordance with an Erosion and Sediment Control Plan prepared in accordance with the Erosion and Sediment Control Guidelines for the Wellington Region (or equivalent)</del></li> <li><del>In all areas, a structure used to retain or stabilize a slope must be no higher than 2.5m measured vertically.</del></li> <li><del>No earthwork shall create a dust nuisance.</del></li> <li><del>As soon practicable, but not later than three months after the completion of earthworks or stages earthworks, the earthworks area must be stabilised</del></li> </ol>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>c. Impact on views of, through and within the site; and d. Connections to community and recreation resources.</p> <p>2. Miramar South Precinct: a. Erosion and Sediment Control Guidelines for the Wellington Region (or equivalent).</p> <p>3. In all areas, any relevant aspect of: a. A Landscape and Visual Amenity Management Plan; b. NZS 4404:2010 in particular erosion, sediment and dust control; c. NZS 6803:1999 for management of construction noise; d. An Erosion and Sediment Control Plan; e. A geotechnical assessment.</p> <p>4. In all areas, any relevant aspect of: a. The nature, scale and extent of planting and landscaping; b. Maintenance of planting and landscaping; c. Extent and quality of public recreational access, including connections to existing accessways; d. The nature and scale of engineered retaining features; e. Façade treatment of engineered retaining features over 1.5m in height; f. Staging of earthworks; g. Effects on adjacent residential land; h. Hours of work; and i. Construction traffic.</p>			<p><u>with vegetation or sealed, paved, metalled or built over.</u></p> <p><del>Except:</del></p> <p><del>b. The construction, upgrade or maintenance of:</del></p> <p><del>i. Apron and taxiway surfaces.</del></p> <p><del>ii. Road and accessway surfaces.</del></p> <p>Assessment criteria where the standard is <u>not met infringed</u>:</p> <p>1. <u>Rongotai Ridge Precinct:</u></p> <p>a. <u>Extent of cut faces;</u></p> <p><del>b. Enhancement of pedestrian and cycle networks;</del></p> <p><del>c. Impact on views of, through and within the site; and</del></p> <p><del>d. Connections to community and recreation resources.</del></p> <p><del>2. Miramar South Precinct:</del></p> <p><del>a. Erosion and Sediment Control Guidelines for the Wellington Region (or equivalent).</del></p> <p>3. ....</p> <p>4. <u>With respect to EW-S14(4):</u></p> <p>a. <u>The effectiveness of temporary measures to avoid the creation of dust nuisance.</u></p> <p>5. <u>With respect to EW-S14(5):</u></p> <p>a. <u>The effectiveness of permanent measures to avoid erosion, the creation of dust nuisance, to filter silt and sediment and reduce the volume and speed of runoff from the site.</u></p>
<b>Te Aho - Light</b>			
<p><b>INTRODUCTION</b></p> <p>Artificial lighting enables work, recreation and entertainment activities to occur beyond normal daylight hours. It also provides additional safety and security to sites and associated activities. However, unless used with care, it can adversely affect people on neighbouring properties or the transport network through light spill and glare. If not appropriately screened or orientated, it can also result in light pollution that adversely affects the night sky. Wildlife can also be affected by artificial lights, particularly in the coastal area where nesting and feeding is common for sea birds.</p> <p>The provisions for artificial light provide for adequate lighting to support activities and enable safety and security for people and communities, while minimising potential adverse effects beyond the site.</p> <p>The following activities are exempt from the rules and standards in this chapter:</p> <ol style="list-style-type: none"> <li>Public street lighting;</li> <li>Temporary emergency activities;</li> <li>Helipad and helicopter lighting;</li> </ol>	Support	It is appropriate for aviation related lighting to be exempt from the rules and standards of the lighting chapter. Such matters are governed by Civil Aviation Regulations.	Retain as notified.

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>4. Aviation lighting; and</p> <p>5. Port lighting</p> <p>Note: Guidance for installing and assessing lights in coastal wildlife habitats in relation to <a href="#">LIGHT-R2</a> is available in the National Light Pollution Guidelines for Wildlife Including Marine Turtles, Seabirds and Migratory Shorebirds, Commonwealth of Australia 2020.</p>			
<p><b>LIGHT-P2 Design and location of outdoor artificial lighting</b></p> <p>Require outdoor artificial lighting to be designed, located and oriented to maintain amenity values, traffic safety, aviation safety and to minimise effects on wildlife in coastal margins.</p>	Oppose	As set out in the covering submission, the current provisions do not provide sufficient dissuasion of lighting activities that could give rise to potentially adverse effects of aviation safety. WIAL therefore opposes this policy, as set out in paragraphs 4.97 to 4.100 of the covering submission.	<p>Delete or amend Policy Light-P2 as follows:</p> <p><i>Require outdoor artificial lighting to be designed, located and oriented to:</i></p> <ul style="list-style-type: none"> <li><i>a. maintain amenity values;</i></li> <li><i>b. maintain traffic safety;</i></li> <li><i>c. avoid adverse effects on aviation safety; and</i></li> <li><i>d. <del>to</del> minimise effects on wildlife in coastal margins.</i></li> </ul>
<p><b>RULES: Land use activities</b></p> <p><b>LIGHT-R1 Outdoor artificial lighting</b></p> <p>1. <i>All Zones</i> Activity status: <b>Permitted</b> Where:</p> <ul style="list-style-type: none"> <li>a. The activity complies with: <ul style="list-style-type: none"> <li>i. <a href="#">LIGHT-S1</a>;</li> <li>ii. <a href="#">LIGHT-S2</a>;</li> <li>iii. <a href="#">LIGHT-S3</a>;</li> <li>iv. <a href="#">LIGHT-S4</a>;</li> <li>v. <a href="#">LIGHT-S5</a>; and</li> <li>vi. <a href="#">LIGHT-S6</a>.</li> </ul> </li> </ul> <p><i>All Zones</i></p> <p>2. Activity status: <b>Restricted Discretionary</b> Where:</p> <ul style="list-style-type: none"> <li>a. Compliance with the requirements of <a href="#">LIGHT-R1.1</a> cannot be achieved.</li> </ul> <p>Matters of discretion are:</p> <p>The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standards;</p> <ul style="list-style-type: none"> <li>1. The matters in <a href="#">LIGHT-P1</a>, <a href="#">LIGHT-P2</a>;</li> <li>2. The lighting guidelines in the relevant Design Guide; and</li> <li>3. Whether there is a risk to aviation safety</li> </ul>	Oppose in part	For the reasons set out in paragraphs 4.97 to 4.102, WIAL opposes in part this rule as notified.	<p>WIAL supports the inclusion of Matter of Discretion 4, as set out in LIGHT-R1(2), however a new notification clause should be included as follows:</p> <p><i>Notification status: For a resource consent application made in respect of Rule LIGHT R2 2 where there is a risk to aviation safety, WIAL must be considered to be an affected person in accordance with Section 95E of the RMA.</i></p>
<p><b>LIGHT-R2 Outdoor artificial lighting in the coastal margin</b></p> <p><i>All Zones</i></p> <p>1. Activity status: <b>Restricted Discretionary</b> Where:</p> <ul style="list-style-type: none"> <li>a. The activity complies with:</li> </ul>	Oppose in part	For the reasons set out in paragraphs 4.97 to 4.102, WIAL opposes in part this rule as notified.	<p>Include an additional matter of discretion and notification status as follows:</p> <ul style="list-style-type: none"> <li>7. <u>The matters in LIGHT-P2</u></li> <li>8. <u>Whether there is a risk to aviation safety.</u></li> </ul>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>i. <a href="#">LIGHT-S1</a>;</p> <p>ii. <a href="#">LIGHT-S2</a>;</p> <p>iii. <a href="#">LIGHT-S3</a>;</p> <p>iv. <a href="#">LIGHT-S4</a>;</p> <p>v. <a href="#">LIGHT-S5</a>; and</p> <p>vi. <a href="#">LIGHT-S6</a>.</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>Whether there is evidence the area is used by at risk, threatened or endangered bird species for reproduction, feeding, or nesting;</li> <li>Whether there is a functional need or operational need for the proposed lighting;</li> <li>Whether lights are directed and shielded to avoid light spill;</li> <li>Whether the lowest intensity lighting appropriate for the task is used;</li> <li>Whether adaptive light controls are used to manage light timing, intensity and colour; and</li> <li>Whether lights with reduced or filtered blue, violet and ultra-violet wavelengths are used.</li> </ol> <p>Notification status: An application for resource consent made in respect of rule LIGHT-R2.1 is precluded from being publicly notified.</p>			<p><i>Notification status: For a resource consent application made in respect of Rule LIGHT R2 1 where there is a risk to aviation safety, WIAL must be considered to be an affected person in accordance with Section 95E of the RMA.</i></p>
<p><i>All Zones</i></p> <p>2. Activity status: <b>Restricted Discretionary</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>Compliance with the requirements of <a href="#">LIGHT-R2.1</a> cannot be achieved.</li> </ol> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>.....</li> <li>Whether there is a risk to aviation safety</li> </ol>	Oppose in part	For the reasons set out in paragraphs 4.97 to 4.102, WIAL opposes in part this rule as notified.	<p>Retain the rule as notified and include the following additional notification status:</p> <p><i>Notification status: For a resource consent application made in respect of Rule LIGHT R2 2 where there is a risk to aviation safety, WIAL must be considered to be an affected person in accordance with Section 95E of the RMA.</i></p>
<p><b>LIGHT-S2 Light Spill</b></p> <p><i>General Rural Zone, Large Lot Zone and Future Urban Zone</i></p>	Support in part / Oppose in part	WIAL generally supports the lighting standards for the reasons set out in paragraphs 4.97 to 4.102 of the covering submission. WIAL submits however, the relevant assessment criteria with respect to aircraft safety should refer to “the effect” on aircraft rather than the “impact” as the former is more readily understood and applied in a RMA context.	<p>Include the following additional standard within each LIGH-S2 Light Spill standard:</p> <p><i>All exterior lighting shall be directed downward.</i></p>
<p><b>LIGHT-S3 Glare</b></p> <p>General Rural Zone, Large Lot Zone and Future Urban Zone</p> <ol style="list-style-type: none"> <li>...</li> </ol> <p>Residential Zones, Open Space and Recreation Zones</p> <ol style="list-style-type: none"> <li>...</li> </ol> <p><i>Neighbourhood Centre Zone, Local Centre Zone, Town Centre Zone, Metropolitan Zone, Mixed Use Zone, City Centre Zone, General Industrial Zone, Hospital Zone, Tertiary Education Zone, Airport Zone, Port Zone and Stadium Zone</i></p> <ol style="list-style-type: none"> <li>.....</li> </ol> <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>Safety of the transport network;</li> </ol>			<p>Include the following additional standard within each LIGH-S3 Glare standard:</p> <p><i>All exterior lighting shall be directed downward.</i></p> <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>Safety of the transport network;</li> <li>Effects on indoor amenity values and sleep quality of any nearby dwellings;</li> <li>The number, placement, design, height, colour, orientation and screening of light fittings and light support structures;</li> <li>Any positive effects generated from the use of artificial lighting; and</li> </ol>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
2. Effects on indoor amenity values and sleep quality of any nearby dwellings; 3. The number, placement, design, height, colour, orientation and screening of light fittings and light support structures; 4. Any positive effects generated from the use of artificial lighting; and 5. The impact of lighting on aircraft safety or the safe and efficient functioning of the Airport.			5. <del>The impact effect</del> <i>of lighting on aircraft safety or the safe and efficient functioning of the Airport.</i>
<b>Te Oro – Noise</b>			
<p><b>Introduction</b></p> <p>... Some activities that generate noise are exempt from the noise rules set out in this chapter. This is because they are not controlled by the RMA, e.g. vehicles being driven on a road, or aircraft above 1,000 feet in flight over built up areas. In addition, the Civil Aviation Act 1990 imposes certain rules requiring noise abatement procedures for aircraft operating in the vicinity of Wellington International Airport.</p> <p>The following activities are exempt from the rules and standards contained in this chapter. They are:</p> <ol style="list-style-type: none"> <li>1. Aircraft being operated above 1,000 feet (305m) over built up areas, or above 500 feet (152m) over rural areas;</li> <li>2. Aircraft used in emergencies or as air ambulances;</li> <li>3. Vehicles being driven on a road (within the meaning of section 2(1) of the Transport Act 1998), or within a site as part of or compatible with a normal residential activity (including apartments or mixed use activity);</li> <li>4. Trains on rail lines (public or private) and crossing bells within the road reserve, including at railway yards, railway sidings or stations. This exemption does not apply to the testing (when stationary), maintenance, loading or unloading of trains;</li> <li>5. Any warning device or siren used by emergency services for civil defence or emergency purposes (and routine testing and maintenance);</li> <li>6. The use of generators and mobile equipment (including vehicles) when used solely for civil defence or emergency purposes, including testing and maintenance not exceeding 48 hours in duration, where they are operated by emergency services or lifeline utilities, or for the continuation of radiocommunication broadcasts;</li> <li>7. Rural activities, including, agricultural vehicles, machinery or equipment used on a seasonal or intermittent basis in the Rural Zones;</li> <li>8. Crowd or people noise from special events or temporary event activities including any events located in Open Space and Recreation Zones.</li> </ol> <p>Note: Where standards are provided for specific activities, and there is a conflict between those standards and the zone interface standards or zone standards, the specific activity standards will prevail. In addition, resource consent may be required for the activity that generates noise. Provisions controlling the establishment of those activities may be contained in other chapters of the district plan.</p>	Support	WIAL supports the specific recognition afforded to aircraft activities.	Retain as notified.
<p><b>NOISE -01 Managing noise generation and effects</b></p> <p>Amenity values and peoples' health and well-being are protected from adverse noise levels, consistent with the anticipated outcomes for the receiving environment.</p>	Oppose	Refer to paragraphs 4.62 to 4.75 of WIAL's covering submission.	Insert two new objectives that specifically establish the noise planning framework for noise sensitive activities within ANB and 60dB Ldn Boundary for Wellington International Airport as follows:
<p><b>NOISE-02 Reverse Sensitivity</b></p> <p>Existing and authorised activities that generate high levels of noise are protected from reverse sensitivity effects.</p>			

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
			<p><b><u>NOISE-O4: Noise Management at Wellington International Airport</u></b></p> <p><i>The adverse effects of noise from Wellington International Airport on noise sensitive activities are appropriately remedied or mitigated.</i></p>
<p><b>NOISE-P1 General Management of noise</b></p> <p>Enable the generation of noise from activities that:</p> <ol style="list-style-type: none"> <li>1. Maintain the amenity values of the receiving environment; and</li> <li>2. Does not compromise the health, safety and wellbeing of people and communities.</li> </ol>	Support in part	WIAL supports this policy insofar as it relates to the management of land based noise emanating from the Airport Zone.	<p>Delete or amend the policy as follows:</p> <p><b><i>NOISE-P1 General Management of noise</i></b></p> <p><i>Enable the generation of <u>land based</u> noise from activities that:</i></p>
<p><b>NOISE -P2 Construction noise</b></p> <p>Enable construction activities while ensuring that unreasonable noise and vibration effects are managed effectively.</p>	Support	WIAL supports this policy.	Retain as notified.
<p><b>NOISE-P3 Higher noise areas</b></p> <p>Allow for higher noise levels to be generated within:</p> <ol style="list-style-type: none"> <li>1. General Rural Zone;</li> <li>2. Commercial and Mixed-Use Zones;</li> <li>3. Hospital Zone;</li> <li>4. Tertiary Education Zone;</li> <li>5. Stadium Zone;</li> <li>6. Port Zone;</li> <li>7. Airport Zone and associated airspace;</li> <li>8. City Centre Zone;</li> <li>9. Mixed Use Zone;</li> <li>10. General Industrial Zone; and</li> <li>11. State Highway and Railway networks</li> </ol>	Support in part	WIAL supports this policy insofar as it relates to the management of land based noise emanating from the Airport Zone.	Retain as notified.
<p><b>NOISE-P4 Acoustic treatment for noise sensitive activities</b></p> <p>Require sound insulation and / or mechanical ventilation for new noise sensitive activities within:</p> <ol style="list-style-type: none"> <li>1. The City Centre Zone;</li> <li>2. The Waterfront Zone;</li> <li>3. The Centres Zones;</li> <li>4. The Mixed Use Zones;</li> <li>5. Outer Port Noise Overlay;</li> <li>6. The Air Noise Overlay; and</li> <li>7. Identified corridors adjacent to the State Highways and railway networks.</li> </ol> <p>Two standards of acoustic insulation are prescribed to achieve acceptable indoor acoustic amenity in habitable rooms.</p>	Oppose in part	It is the buildings that contain a noise sensitive activities rather than the noise sensitive activity itself that can be acoustically treated. Amendments are therefore required to the chapeau of the policy to make this matter clear.	<p>Delete or amend the policy as follows:</p> <p><i>Require sound insulation and / or mechanical ventilation of new buildings or additions or alterations to existing buildings that contain <del>for new</del> noise sensitive activities within:</i></p> <ol style="list-style-type: none"> <li>1. <i>The City Centre Zone;</i></li> <li>2. <i>The Waterfront Zone;</i></li> <li>3. <i>The Centres Zones;</i></li> <li>4. <i>The Mixed Use Zones;</i></li> <li>5. <i>Outer Port Noise Overlay;</i></li> <li>6. <i><del>The Air Noise Overlay</del> The Air Noise Boundary or 60dB Ldn Noise Boundary; and</i></li> </ol>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
			<p>7. <i>Identified corridors adjacent to the State Highways and railway networks.</i></p> <p><i>Two standards of acoustic insulation are proscribed to achieve acceptable indoor acoustic amenity in habitable rooms.</i></p> <p>Note that WIAL has recommended replacing the definition "Air Noise Overlay", as set out earlier in the submission.</p>
<p><b>*NOISE-P6 Development restrictions on noise sensitive activities</b></p> <p>Restrict the development of noise sensitive activities within:</p> <ol style="list-style-type: none"> <li>1. The Inner Air Noise Overlay; and</li> <li>2. Other locations where ventilation and acoustic insulation standards are not met.</li> </ol>	Oppose	<p>For the reasons set out in paragraphs 4.62 to 4.75 of the covering submission, WIAL submits that a new suite of policies is required to address the management of noise sensitive activities within the Air Noise Boundary and 60dB Ldn Noise Boundary.</p>	<p>Amend NOISE-P6 and insert a suite of new provisions relating to the management of noise sensitive activities within the Air Noise Boundary and 60dB Ldn Boundary for Wellington International Airport as follows:</p> <p><b><i>NOISE-P6 Development restrictions on noise sensitive activities</i></b></p> <p><i>Restrict the development of noise sensitive activities within:</i></p> <ol style="list-style-type: none"> <li><i>1. The Inner Air Noise Overlay; and</i></li> <li><i>2. Other locations where ventilation and acoustic insulation standards are not met.</i></li> </ol> <p><b><i>NOISE-P7 Management of Activities Sensitive to Aircraft Noise:</i></b></p> <p><i>Within the Air Noise Boundary or 60dB Ldn Noise Boundary:</i></p> <ol style="list-style-type: none"> <li><i>1. Avoid the establishment of new noise sensitive activities within the Open Space, Natural Open Space and General Industrial Zones;</i></li> <li><i>2. Discourage the establishment of new or the intensification of existing noise sensitive activities within all other zones unless the reverse sensitivity effects on Wellington International Airport can be appropriately avoided.</i></li> </ol> <p><b><i>NOISE-P8: Acoustic treatment of activities sensitive to aircraft noise</i></b></p> <p><i>Require, as necessary, sound insulation and/or mechanical ventilation within any new buildings or any additions or alterations to existing buildings that contain noise sensitive activities within the Air Noise Boundary or 60dB L<sub>dn</sub> noise contour.</i></p>
<p><b>NOISE-R1 Noise not otherwise provided for in this chapter</b></p> <p><i>All Zones</i></p> <ol style="list-style-type: none"> <li>1. Activity status: <b>Permitted</b> Where: <ol style="list-style-type: none"> <li>a. Compliance with <a href="#">NOISE-S1</a> is achieved.</li> </ol> </li> <li>2. Activity status: <b>Restricted Discretionary</b> Where: <ol style="list-style-type: none"> <li>a. Compliance with the requirements of <a href="#">NOISE-R1.1.a</a> cannot be achieved.</li> </ol> </li> </ol>	Support	<p>WIAL supports the default activity status, subject to compliance with NOISE-S1.</p>	<p>Retain as notified.</p>



PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>The matters in <a href="#">NOISE-P1</a>; and</li> <li>The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard.</li> </ol>			
<p><b>NOISE-R2 Noise from construction, maintenance, earthworks, and demolition activities</b> <i>All Zones</i></p> <ol style="list-style-type: none"> <li>Activity status: <b>Permitted</b> Where: <ol style="list-style-type: none"> <li>All work will occur within the hours of 7.30am to 6.00pm Monday to Saturday; or</li> <li>Compliance with NOISE-S2 (Construction Activities) is achieved.</li> </ol> </li> <li>Activity status: <b>Restricted Discretionary</b> Where: <ol style="list-style-type: none"> <li>Compliance with the requirements of <a href="#">NOISE-R2.1.a</a> cannot be achieved.</li> </ol> </li> </ol> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>The matters in <a href="#">NOISE-P2</a>; and</li> <li>The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard.</li> </ol>	Support	WIAL supports the retention of a construction specific noise rule within the Proposed Plan.	Retain as notified.
<p><b>NOISE-R3 Noise sensitive activity in a new building, or in alterations / additions to an existing building</b></p> <ol style="list-style-type: none"> <li>Activity status: <b>Permitted</b> Where: <ol style="list-style-type: none"> <li>Compliance with <a href="#">NOISE-S4 (High Noise Areas)</a> is achieved within: <ol style="list-style-type: none"> <li>40m of a State Highway;</li> <li>40m of a Railway corridor;</li> <li>General Industrial Zone; or</li> <li>Inner Air Noise Overlay.</li> </ol> </li> </ol> <p>Note: Distances from a state highway or railway corridor shall be measured from the closest habitable room to the closest point of a state highway or railway designation.</p> </li> <li>Activity status: <b>Permitted</b> Where: <ol style="list-style-type: none"> <li>Compliance with <a href="#">NOISE-S5 (Moderate Noise Areas)</a> is achieved within: The area between 40m and 80m of a State Highway.</li> <li>The area between 40m and 100m of a Railway corridor.</li> <li>City Centre Zone.</li> <li>Mixed Use Zone.</li> <li>Neighbourhood Centre Zone.</li> <li>Local Centre Zone.</li> <li>Metropolitan Centre Zone.</li> <li>Outer Port Noise Overlay.</li> </ol> </li> </ol>	Oppose	For the reasons set out in paragraphs 4.65 to 4.72 of the covering submission, WIAL opposes this rule in part.	<p>Delete or amend the rule as follows:</p> <p><b><i>NOISE-R3 Noise sensitive activity in a new building, or in alterations / additions to an existing building</i></b></p> <ol style="list-style-type: none"> <li>Activity status: <b>Permitted</b> Where: <ol style="list-style-type: none"> <li>Compliance with <a href="#">NOISE-S4 (High Noise Areas)</a> is achieved within: <ol style="list-style-type: none"> <li>40m of a State Highway;</li> <li>40m of a Railway corridor;</li> <li>General Industrial Zone; or</li> <li><del>Inner Air Noise Overlay.</del></li> </ol> </li> </ol> <p>Note: Distances from a state highway or railway corridor shall be measured from the closest habitable room to the closest point of a state highway or railway designation.</p> </li> <li>Activity status: <b>Permitted</b> Where: <ol style="list-style-type: none"> <li>Compliance with <a href="#">NOISE-S5 (Moderate Noise Areas)</a> is achieved within: <ol style="list-style-type: none"> <li>The area between 40m and 80m of a State Highway.</li> <li>The area between 40m and 100m of a Railway corridor.</li> <li>City Centre Zone.</li> </ol> </li> </ol> </li> </ol>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>ix. Outer Air Noise Overlay.</p> <p>Note: Distances from a state highway or railway corridor shall be measured from the closest habitable room to the closest point of a state highway or railway designation.</p> <p>3. Activity status: <b>Restricted Discretionary</b> Where:</p> <p>a. Compliance with the requirements of <a href="#">NOISE-S4</a> or <a href="#">NOISE-S5</a> cannot be achieved.</p> <p>b. Any noise sensitive activity is proposed on a site within land subject to <a href="#">NOISE-R3.2</a>.</p> <p>c. Two residential units are proposed on a site within the Inner Air Noise Overlay.</p> <p>d. Four or more residential units are proposed on a site within the Outer Air Noise Overlay.</p> <p>Matters of discretion are:</p> <p>1. The matters of assessment in <a href="#">NOISE-S4</a> and <a href="#">NOISE-S5</a>; and</p> <p>2. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard.</p> <p>Note: This rule does not obligate Wellington International Airport Limited (WIAL) to provide or upgrade mechanical ventilation or noise insulation in a residential unit which has already received such treatment.</p> <p>4. Activity status: <b>Discretionary</b> Where:</p> <p>a. Any noise sensitive activity is proposed on a site within land subject to <a href="#">NOISE-R3.1</a>.</p> <p>b. Three or more residential units are proposed on a site within the Inner Air Noise Overlay.</p> <p>Note: This rule does not obligate Wellington International Airport Limited (WIAL) to provide or upgrade mechanical ventilation or noise insulation in a residential unit which has already received such treatment.</p>			<p>iv. <i>Mixed Use Zone.</i></p> <p>v. <i>Neighbourhood Centre Zone.</i></p> <p>vi. <i>Local Centre Zone.</i></p> <p>vii. <i>Metropolitan Centre Zone.</i></p> <p>viii. <i>Outer Port Noise Overlay.</i></p> <p><del>ix. Outer Air Noise Overlay.</del></p> <p>Note: Distances from a state highway or railway corridor shall be measured from the closest habitable room to the closest point of a state highway or railway designation.</p> <p>4. Activity status: <b>Restricted Discretionary</b> Where:</p> <p>a. Compliance with the requirements of <a href="#">NOISE-S4</a> or <a href="#">NOISE-S5</a> cannot be achieved <u>and</u>.</p> <p>b. Any noise sensitive activity is proposed on a site within land subject to <a href="#">NOISE-R3.2</a>.</p> <p><del>c. Two residential units are proposed on a site within the Inner Air Noise Overlay.</del></p> <p><del>d. Four or more residential units are proposed on a site within the Outer Air Noise Overlay.</del></p> <p>Matters of discretion are:</p> <p>1. The matters of assessment in <a href="#">NOISE-S4</a> and <a href="#">NOISE-S5</a>; and</p> <p>2. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standard.</p> <p><del>Note: This rule does not obligate Wellington International Airport Limited (WIAL) to provide or upgrade mechanical ventilation or noise insulation in a residential unit which has already received such treatment.</del></p> <p>5. Activity status: <b>Restricted Discretionary</b> Where:</p> <p>a. <u>Located within the Air Noise Boundary or 60 dB Ldn Noise Boundary; and</u></p> <p>b. <u>Compliance with the requirements of NOISE-S16 and NOISE-S17 achieved.</u></p> <p>Matters of discretion are:</p> <p>1. <u>The matters in NOISE-P7;</u></p> <p>2. <u>The ability to achieve acceptable outdoor acoustic amenity;</u></p> <p>3. <u>Any proposed mitigation of aircraft noise, in accordance with a best practicable option approach</u></p>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
			<p><u>(e.g. site layout and design, design and location of structures and buildings and outdoor amenity areas.</u></p> <p>4. <u>The extent to which effects, as a result of the sensitivity of activities to current and future noise generation from aircraft, are proposed to be managed, including avoidance of any effect that may limit the operation, maintenance or upgrade of Wellington International Airport.</u></p> <p><u>Notification status: For a resource consent application made in respect of Rule NOISE R3.5 where a noise sensitive activity is proposed within the Air Noise Boundary or 60dB L<sub>dn</sub> Noise Boundary, WIAL must be considered to be an affected person in accordance with Section 95E of the RMA.</u></p> <p>4. Activity status: <b>Discretionary</b></p> <p>Where:</p> <p>a. Any noise sensitive activity is proposed on a site within <u>the Air Noise Boundary or 60dB Ldn Boundary; and,</u></p> <p><del>b. Compliance with the requirements of NOISE-S16 or NOISE-S17 is not achieved. and subject to NOISE-R3.1.</del></p> <p><del>c. Three or more residential units are proposed on a site within the Inner Air Noise Overlay.</del></p> <p><del>Note: This rule does not obligate Wellington International Airport Limited (WIAL) to provide or upgrade mechanical ventilation or noise insulation in a residential unit which has already received such treatment.</del></p> <p><u>Notification status: For a resource consent application made in respect of Rule NOISE R3.5 where a noise sensitive activity is proposed within the Air Noise Boundary or 60dB L<sub>dn</sub> Noise Boundary, WIAL must be considered to be an affected person in accordance with Section 95E of the RMA.</u></p> <p><b><u>NOISE-S16 Acoustic Treatment – Noise Sensitive Activities within the Air Noise Boundary or 60dB Ldn Noise Boundary</u></b></p> <p><u>All Zones</u></p> <p>1. <u>Any new habitable room within the Air Noise Boundary or 60dB Ldn Noise Boundary must be designed and constructed to achieve an internal level of Ldn 40dB with doors and windows closed. The certification of an approved acoustical engineer will be accepted as evidence that the design meets the insulation standard.</u></p>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
			<p><b><u>NOISE-S17 Acoustic Treatment – Noise Sensitive Activities within the Air Noise Boundary or 60B Ldn Noise Boundary</u></b></p> <p><u>All Zones</u></p> <ol style="list-style-type: none"> <li><u>The internal design level in NOISE-S16 must be achieved at the same time as the ventilation requirements of the New Zealand Building Code. An alternative means of ventilation must be provided unless compliance with the above acoustic insulation standards can be met with ventilating windows open.</u></li> <li><u>Where a habitable room relies on openable windows to meet the ventilation requirements of the New Zealand Building Code, and where these windows must remain closed to achieve compliance with NOISE-S4, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a bedroom is any room intended to be used for sleeping. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person; and</u></li> <li><u>Confirmation of compliance with this standard will be required by a qualified professional.</u></li> </ol> <p>(Note WIAL is seeking independent expert advice on the specific ventilation requirements. NOISE-S17 is drafted based on the general structure of NOISE-S6, with the starting assumption being that the Council has undertaken technical assessments to confirm the standard is fit for purpose. Accordingly WIAL reserves its position on this matter in the context of this submission).</p>
<p><b>NOISE-R4 Helicopter landing noise</b></p> <p>Airport Zone, Hospital zone</p> <p>Activity status: Permitted</p>	Support	WIAL supports the permitted activity status for helicopter operations within the Airport Zone.	Retain the rule as notified.
<p><b>R8 Shooting range and firearm noise</b></p> <p>Activity Status: Discretionary</p>	Oppose	WIAL is required to undertake wildlife management activities at the Airport. WIAL seeks to ensure that its activities, while not comparable to a shooting range, are not inadvertently captured by this rule.	<p>Delete or amend the rule as follows:</p> <p><b><u>NOISE-R8</u></b></p> <p><b><u>Airport Zone</u></b></p> <ol style="list-style-type: none"> <li><u>Activity Status: Permitted</u></li> </ol> <p><u>All Zones (except the Airport Zone)</u></p> <ol style="list-style-type: none"> <li><u>Activity Status: Discretionary</u></li> </ol>
<p><b>NOISE-R13 Airport Noise</b></p> <p><u>All Zones</u></p> <ol style="list-style-type: none"> <li>Activity status: <b>Permitted</b></li> </ol> <p>Where:</p> <ol style="list-style-type: none"> <li>Compliance is achieved with the following standards:</li> </ol>		For the reasons set out in paragraphs 4.62 to 4.75 of WIAL's covering submission, it is inappropriate to replicate the aircraft noise management obligations inherent in Designation WIAL4 and WIAL5 in the Noise Chapter.	<p>Delete the rules or delete references to the designation related standards as follows:</p> <p><b><u>NOISE-R13 Airport Noise</u></b></p> <p><u>All Zones</u></p> <ol style="list-style-type: none"> <li><u>Activity status: Permitted</u></li> </ol>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>i. <a href="#">NOISE-S1</a>;</p> <p>ii. <a href="#">NOISE-S8</a>;</p> <p>iii. <a href="#">NOISE-S9</a>;</p> <p>iv. <a href="#">NOISE-S10</a>;</p> <p>v. <a href="#">NOISE-S11</a>;</p> <p>vi. <a href="#">NOISE-S12</a>;</p> <p>vii. NOISE-S14; and</p> <p>viii. <a href="#">NOISE-S15</a>.</p> <p><i>All Zones</i></p> <p>2. Activity status: <b>Restricted Discretionary</b> Where:</p> <p>a. Compliance is not achieved with <a href="#">NOISE-R13.1.a</a></p> <p>Matters of discretion are:</p> <p>1. Relevant matters listed in <a href="#">NOISE-P1</a>;</p> <p>2. The degree to which noise emissions can be reduced through mitigation or management measures, changes in the location, or methods of operation of the activity;</p> <p>3. Whether the proposal will have any adverse effects on the health and safety of people; and</p> <p>4. The effects of the type, intensity and duration of the noise emitted from any activity.</p> <p><i>All Zones</i></p> <p>3. Activity status: <b>Non-complying</b> Where:</p> <p>a. Compliance is not achieved with:</p> <p>i. <a href="#">NOISE-S9</a>;</p> <p>ii. <a href="#">NOISE-S10</a>; and</p> <p>b. Noise from any land based activity in the Airport Zone exceeds the limits in NOIS-S14 by more than 5dB.</p> <p>Notification Status: An application for resource consent made in respect of this rule must be publicly notified.</p>			<p><i>Where:</i></p> <p>a. Compliance is achieved with the following standards:</p> <p>i. NOISE-S1;</p> <p>ii. <del>NOISE-S8</del>;</p> <p>iii. <del>NOISE-S9</del>;</p> <p>iv. <del>NOISE-S10</del>;</p> <p>v. <del>NOISE-S11</del>;</p> <p>vi. <del>NOISE-S12</del>;</p> <p>vii. NOISE-S14; and</p> <p>viii. NOISE-S15.</p> <p>2. ....</p> <p>3. Activity status: <i>Non-complying</i> <i>Where:</i></p> <p>a. <del>Compliance is not achieved with:</del></p> <p>i. <del>NOISE-S9</del>;</p> <p>ii. <del>NOISE-S10</del>; and</p> <p>b. Noise from any land based activity in the Airport Zone exceeds the limits in NOIS-S14 by more than 5dB.</p> <p><del>Notification Status: An application for resource consent made in respect of this rule must be publicly notified.</del></p>
<p><b>Noise -S3 Noise Management Plans</b></p> <p><b>Airport Activities</b></p> <p>The provisions below do not, in any way, limit the obligations of the Airport company (WIAL) to fully comply with any Airport Designation Condition.</p> <p>1. The Airport must at all times maintain and implement an Airport Noise Management Plan (ANMP). Any alteration or update to the ANMP is subject to certification by the Council.</p> <p>2. The ANMP must include, as a minimum:</p> <p>a. Terms of Reference which include the purpose, membership and functions of the ANMC.</p> <p>b. A statement of noise management objectives and policies for the Airport;</p> <p>c. Details of methods and processes for remedying and mitigating adverse effects of Airport noise including but not limited to:</p> <p>i. improvements to Airport layout to reduce ground noise;</p> <p>ii. Guidance relating to APU usage and how that usage will be reduced over time where practicable;</p>	Oppose	For the reasons set out in paragraphs 4.62 to 4.75 of WIAL's covering submission, it is inappropriate to replicate the aircraft noise management obligations inherent in Designation WIAL4 and WIAL5 in the Noise Chapter.	Delete NOISE-S3

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<ul style="list-style-type: none"> <li>iii. improvements to Airport equipment (including provision of engine test shielding such as an acoustic enclosure for propeller driven aircraft) to reduce ground noise;</li> <li>iv. aircraft operating procedures in the air and on the ground procedures to minimise noise where this is practicably achievable;</li> <li>v. an Airport Wide Construction Noise Management Plan which outlines methods for guiding the way construction noise is managed including guidance for where a Project Specific Construction Noise Plan is required for a project.</li> <li>d. Procedures for the convening, ongoing maintenance and operation of the ANMC;</li> <li>e. Mechanisms to give effect to a noise monitoring programme to assess compliance with district plan noise standards;</li> <li>f. Procedures for reporting to the ANMC any Aircraft Operations and engine testing activities which contravene district plan noise standards;</li> <li>g. Methods necessary for the Airport to complete implementation of the Quieter Homes Programme;</li> <li>h. A complaints procedure including: recording; reporting back to complainants; corrective actions; and reporting to the Council and to the ANMC;</li> <li>i. A dispute resolution procedure to resolve any disputes between the Airport company and the ANMC about the contents and implementation of the ANMP;</li> <li>j. Communication methods to maintain contact with potentially noise affected communities;</li> <li>k. Preparation and implementation of an annual stakeholder communications plan;</li> <li>l. Procedures for obtaining and making noise monitoring and compliance data publicly available on WIAL's website;</li> <li>m. Procedures (including frequency) for reviewing and amending the ANMP.</li> <li>n. Arrangements for funding the ongoing membership and function of the ANMC.</li> </ul>			
<p><b>NOISE-S4 Acoustic insulation – high noise areas</b>  <b>Within 40m of a State Highway/ Within 40m of a Railway Corridor/ Courtenay Place Noise Area/ Inner Air Noise Overlay</b></p>	Oppose	For the reasons set out in paragraphs 4.62 to 4.75 of the covering submission, WIAL opposes this standard in part.	Delete or amend the standard as follows: <b>NOISE-S4 Acoustic insulation – high noise areas</b> <i>Within 40m of a State Highway/ Within 40m of a Railway Corridor/ Courtenay Place Noise Area/ <del>Inner Air Noise Overlay</del></i>
<p><b>NOISE-S5 Acoustic insulation – moderate noise areas</b>  <i>City Centre Zone/ Mixed Use Zone/General Industrial Zone/ Neighbourhood Centre Zone/ Local Centre Zone/ Metropolitan Centre Zone/Waterfront Zone/ The area between 40m and 100m of a railway corridor/ The area between 40m and 80m of a State Highway/ Outer Port Noise Overlay/ Outer Air Noise Overlay</i></p>	Oppose	For the reasons set out in paragraphs 4.62 to 4.75 of the covering submission, WIAL opposes this standard in part.	Delete or amend the standard as follows: <b>NOISE-S5 Acoustic insulation – moderate noise areas</b> <i>City Centre Zone/ Mixed Use Zone/General Industrial Zone/ Neighbourhood Centre Zone/ Local Centre Zone/ Metropolitan Centre Zone/Waterfront Zone/ The area between 40m and 100m of a railway corridor/ The area between 40m and 80m of a State Highway/ Outer Port Noise Overlay/ <del>Outer Air Noise Overlay.</del></i>
<p><b>NOISE-S8 Hours of aircraft operation</b>  <i>Airport Zone</i></p> <ol style="list-style-type: none"> <li>1. Domestic aircraft operations shall not occur during the following hours: <ol style="list-style-type: none"> <li>a. midnight (12am) to 6am.</li> </ol> </li> <li>2. International aircraft operations shall not occur during the following hours: <ol style="list-style-type: none"> <li>a. Midnight to 6am for departures.</li> </ol> </li> </ol>	Oppose	For the reasons set out in paragraphs 4.62 to 4.75 of WIAL's covering submission, it is inappropriate to replicate the aircraft noise management obligations inherent in Designation WIAL4 and WIAL5 in the Noise Chapter.	Delete the standard.

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>b. 1am to 6am for arrivals.</p> <p>3. No aircraft shall operate under their main engine power within the East Side Precinct between the hours of 10pm and 7am.</p> <p>Except:</p> <p>4. Disrupted flights where aircraft operations are permitted for an additional 30 minutes;</p> <p>5. In statutory holiday periods where operations are permitted for an additional 60 minutes;</p> <p>6. For the purposes of this condition, statutory holiday period means:</p> <p>a. The period from 25 December to 2 January, inclusive. Where 25 December falls on either a Sunday or Monday, the period includes the entire of the previous weekend. Where 1 January falls on a weekend, the period includes the two subsequent working days. Where 2 January falls on a Friday, the period includes the following weekend.</p> <p>b. The Saturday, Sunday and Monday of Wellington Anniversary weekend, Queens Birthday Weekend, and Labour Weekend.</p> <p>c. Good Friday to Easter Monday inclusive.</p> <p>d. Matariki Day.</p> <p>e. Waitangi Day.</p> <p>f. ANZAC Day.</p> <p>g. Any other day decreed as a national statutory holiday.</p> <p>h. Where Matariki Day, Waitangi Day or ANZAC Day falls (or is recognised) on a Friday or a Monday, the adjacent weekend is included in the statutory holiday period.</p> <p>i. The hours from midnight to 6am immediately following the expiry of each statutory holiday period defined above.</p> <p>7. Aircraft using the Airport as a planned alternative to landing at a scheduled airport, but which shall not take-off unless otherwise permitted;</p> <p>8. Aircraft landing in an emergency;</p> <p>9. The operation of emergency flights required to rescue persons from life threatening situations or to transport patients, human vital organs, or medical personnel in a medical emergency;</p> <p>10. The operation of unscheduled flights required to meet the needs of any state of emergency declared under the Civil Defence Emergency Management Act 2002 or any international civil defence emergency;</p> <p>11. Aircraft carrying heads of state and/or senior dignitaries acting in their official capacity or other military aircraft operations;</p> <p>12. No more than 4 aircraft movements per night with noise levels not exceeding 65 dB L<sub>AFmax</sub> (1 sec) at or beyond the edge of the Air Noise Boundary.</p> <p>Assessment criteria where the standard is infringed:</p> <p>1. Type, intensity and duration of the noise;</p> <p>2. Number of annual occurrences;</p> <p>3. Mitigation or management measures;</p> <p>4. Health and safety;</p> <p>5. Effects on internal and external noise amenity for dwellings outside the Airport zone; and</p> <p>6. The Airport Noise Management Plan.</p>			

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>In assessing noise effects, data may be used from a continuous noise monitoring station established to confirm compliance and may also be obtained from other locations.</p>			
<p><b>NOISE-S9 Calculation and management of aircraft noise</b></p> <p><i>Airport Zone</i></p> <ol style="list-style-type: none"> <li>1. Aircraft noise shall be measured and modelled in accordance with NZS6805:1992 Airport Noise Management and Land Use Planning and calculated as a Ldn 90 day rolling average. All terminology shall have the meaning that may be used or defined in the context of NZS:6805 1992.</li> <li>2. The Airport company (WIAL) shall ensure that all Aircraft Operations are managed so that the rolling day 90 day average 24 hour night-weighted sound exposure level does not exceed a Day/night Level (Ldn) of 65dBA outside the Air Noise Boundary shown within the District Plan Maps.</li> <li>3. Within the East Side Precinct, Aircraft Operations and the operation of Auxiliary Power Units (APUs) shall be managed so that the rolling 90-day average 24 hours night-weighted sound exposure does not exceed a Day/Night Level (Ldn) of 65 dB outside of the East Side Precinct Compliance Line identified on Figure 6 below. In assessing compliance with this limit, account shall be taken of the cumulative effect of all aircraft operations and APUs from the Airport.</li> <li>4. Noise monitoring shall take place at any point along the line shown in Figure 6 below. The rolling 90-day average Ldn noise level from aircraft operations and the operation of APUs must not exceed the corresponding level determined to correlate with 65 dB Ldn at the East Side Precinct Compliance Line. This noise level shall be determined once the noise monitoring location is finalised and shall be recorded in the Airport Noise Management Plan.</li> <li>5. The Airport must demonstrate compliance with the standards above by undertaking continuous noise monitoring in accordance with NZS 6805:1992 and the guidance provided in the Airport Noise Management Plan. The results of this noise monitoring shall be made publicly available on the Airport website.</li> </ol> <p>Except:</p> <ol style="list-style-type: none"> <li>1. The following aircraft operations shall be excluded from the calculation of the 90 day rolling average: <ol style="list-style-type: none"> <li>a. Aircraft operating in an emergency.</li> <li>b. The operation of emergency flights required to rescue persons from life threatening situations or to transport patients, human vital organs, or medical personnel in a medical emergency.</li> <li>c. The operation of unscheduled flights required to meet the needs of any state of emergency declared under the Civil Defence Emergency Management Act 2002 or any international civil defence emergency.</li> </ol> </li> </ol> <p>Figure 6 – NOISE: East Side Precinct Compliance Line and Noise Monitoring</p>	Oppose	For the reasons set out in paragraphs 4.62 to 4.75 of WIAL's covering submission, it is inappropriate to replicate the aircraft noise management obligations inherent in Designation WIAL4 and WIAL5 in the Noise Chapter.	Delete the standard.
<p><b>NOISE-S10 Engine testing noise</b></p> <p><i>Airport Zone</i></p> <ol style="list-style-type: none"> <li>1. There shall be no aircraft engine testing in the East Side Precinct, or in the area shown by Attachment 4 of designation WIAL4.</li> <li>2. Engine testing shall adhere to the following: <ol style="list-style-type: none"> <li>a. Testing shall only be undertaken during the hours of 6am to 8pm;</li> <li>b. For essential unscheduled maintenance, testing is able to occur between 8pm and 11pm and where these events do occur, they shall be reported to the Airport Noise Management Committee (ANMC) on an annual basis;</li> <li>c. To operate an aircraft within flying hours but provided the engine run is no longer than required for normal procedures, which for the purpose of this condition, shall provide solely for short duration engine runs by way of flight preparation while the aircraft is positioned on the apron;</li> </ol> </li> <li>3. Restrictions on engine testing from 11pm to 6am do not apply if engine testing can be carried out in compliance with all of the following:</li> </ol>	Oppose	For the reasons set out in paragraphs 4.62 to 4.75 of WIAL's covering submission, it is inappropriate to replicate the aircraft noise management obligations inherent in Designation WIAL4 and WIAL5 in the Noise Chapter.	Delete the standard.



PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>a. measured noise levels do not exceed 60 dB LAEQ (15 min) at or within the boundary of any residential zone;</p> <p>b. measured noise levels do not exceed 75 dB LAFmax at or within the boundary of any residential zone;</p> <p>c. noise levels shall be measured in accordance with NZS6801: 2008 Acoustics Measurement of Environmental Sound;</p> <p>d. the total number of engine test events relating to aircraft using the Airport as an alternate landing site shall not exceed 18 in any consecutive 12 month period;</p> <p>e. the total duration of engine test events using the Airport as an alternate landing site shall be no more than 20 minutes.</p> <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>1. Type, intensity and duration of the noise;</li> <li>2. Mitigation or management measures;</li> <li>3. Health and safety;</li> <li>4. Effects on internal and external noise amenity for dwellings outside the Airport zone; and</li> <li>5. The Airport Noise Management Plan.</li> </ol> <p>In assessing noise effects, data may be used from a continuous noise monitoring station established to confirm compliance and may also be obtained from other locations</p>			
<p><b>NOISE-S11 Noise from ground power units and auxiliary power units (Main site)</b></p> <p><i>Airport Zone (Main Site)</i></p> <ol style="list-style-type: none"> <li>1. The operation of ground power units (GPUs) and auxiliary power units (APUs) within the Airport (excluding East Side Precinct), when measured at any adjoining Residential zone, shall not exceed the following limits: <ol style="list-style-type: none"> <li>a. Monday to Saturday 7am to 10pm 55 dB LAeq (15 min)</li> <li>b. At all other times 45 dB LAeq (15 min)</li> <li>c. All days 10pm to 7am 75 dB LAFmaxli&gt;</li> </ol> </li> </ol> <p>Except:</p> <ol style="list-style-type: none"> <li>1. Aircraft under tow;</li> <li>2. The first 60 minutes after an aircraft has stopped on the gate, unless the Pilot of an Aircraft requires a longer duration due to operational or public health and safety reasons;</li> <li>3. 60 minutes prior to scheduled departure unless the Pilot of an Aircraft requires a longer duration due to operational or public health and safety reasons;</li> <li>4. The use of APUs to provide for engine testing.</li> </ol> <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>1. Type, intensity and duration of the noise;</li> <li>2. Number of annual occurrences;</li> <li>3. Mitigation or management measures;</li> <li>4. Health and safety;</li> <li>5. Effects on internal and external noise amenity for dwellings outside the Airport zone; and</li> <li>6. The Airport Noise Management Plan.</li> </ol>	Oppose	For the reasons set out in paragraphs 4.62 to 4.75 of WIAL's covering submission, it is inappropriate to replicate the aircraft noise management obligations inherent in Designation WIAL4 and WIAL5 in the Noise Chapter.	Delete the standard.

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>In assessing noise effects, data may be used from a continuous noise monitoring station established to confirm compliance and may also be obtained from other locations.</p>			
<p><b>NOISE-S12 Noise from ground power units and auxiliary power units (East Side)</b> <i>Airport Zone (East Side)</i></p> <ol style="list-style-type: none"> <li>Any aircraft stand within the East Side Precinct shall have a Plugin ground power unit (GPU) available.</li> <li>The operation of APUs in the East Side Precinct is subject to the relevant standards in <a href="#">NOISE-S9</a>.</li> <li>There shall be no operating of APUs on land within the East Side Precinct between the hours of 10pm and 7am, apart from aircraft under tow. Where aircraft are under tow the use of the APU shall cease as soon as reasonably practicable after completion of the tow.</li> <li>The operation of APUs on land within the East Side Precinct shall be restricted to a period not exceeding 15 minutes after the aircraft has stopped at the gate and 15 minutes prior to leaving the gate.</li> </ol> <p>Assessment Criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>Type, intensity and duration of the noise;</li> <li>Number of annual occurrences;</li> <li>Mitigation or management measures;</li> <li>Health and safety;</li> <li>Effects on internal and external noise amenity for dwellings outside the Airport zone; and</li> <li>The Airport Noise Management Plan.</li> </ol> <p>In assessing noise effects, data may be used from a continuous noise monitoring station established to confirm compliance and may also be obtained from other locations.</p>	Oppose	For the reasons set out in paragraphs 4.62 to 4.75 of WIAL's covering submission, it is inappropriate to replicate the aircraft noise management obligations inherent in Designation WIAL4 and WIAL5 in the Noise Chapter.	Delete the standard.
<p><b>NOISE-S13 Airport East Side Precinct residential noise mitigation</b> <i>Airport zone (East Side Precinct)/Medium Density Residential Zone</i></p> <ol style="list-style-type: none"> <li>Prior to construction activity occurring to the east of the line shown on the map within Attachment 2 of designation WIAL5, or prior to land within the East Side Precinct being used to facilitate Code C (or larger) Aircraft (whichever is the earlier), the Airport shall offer to install mechanical ventilation to habitable rooms of those residential dwellings listed in Attachment 2 of designation WIAL5.</li> <li>Where the property owner accepts this offer, the following requirements apply: <ol style="list-style-type: none"> <li>The Airport shall meet the full cost of the ventilation work.</li> <li>Any habitable room within any dwelling listed in Attachment 2 with openable windows must be provided with a positive supplementary source of fresh air ducted from the outside of the habitable room.</li> <li>The supplementary source of fresh air is to achieve a minimum of 7.5 litres per second/per person.</li> </ol> </li> </ol> <p>The offer and outcomes from the ventilation work shall be to no less a standard than similar home ventilation packages provided under the Wellington Airport Quieter Homes programme (as at 2021).</p>	Oppose	For the reasons set out in paragraphs 4.62 to 4.75 of WIAL's covering submission, it is inappropriate to replicate the aircraft noise management obligations inherent in Designation WIAL4 and WIAL5 in the Noise Chapter.	Delete the standard.
<p><b>NOISE-S14 Land based noise</b> <i>Airport Zone</i></p> <ol style="list-style-type: none"> <li>Noise emission levels from any activity within the Airport designations, other than aircraft operations, engine testing and the operation of GPUs and APUs, when measured at any adjoining residential zone, shall not exceed the following limits: <ol style="list-style-type: none"> <li>Monday to Saturday 7am to 10pm 55 dB <math>L_{Aeq(15min)}</math></li> <li>At all other times 45 dB <math>L_{Aeq(15min)}</math></li> <li>All days 10pm to 7am 75 dB <math>L_{AFmax}</math></li> </ol> </li> </ol>	Oppose	<p>For the reasons set out in paragraphs 4.62 to 4.75 of WIAL's covering submission, it is inappropriate to replicate the aircraft noise management obligations inherent in Designation WIAL4 and WIAL5 in the Noise Chapter.</p> <p>Furthermore, there are a range of methods available which can demonstrate where standards are infringed. It is therefore inappropriate for the statement at the end</p>	<p>Delete or amend the standard as follows:</p> <ol style="list-style-type: none"> <li>Noise emission levels from any activity within the <del>Airport Zone designations</del>, other than aircraft operations, engine testing and the operation of GPUs and APUs, when measured at any adjoining residential zone, shall not exceed the following limits: <ol style="list-style-type: none"> <li>Monday to <del>Saturday</del> <u>Sunday</u> 7am to 10pm 55 dB <math>L_{Aeq(15min)}</math></li> <li>At all other times 45 dB <math>L_{Aeq(15min)}</math></li> </ol> </li> </ol>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>2. In the East Side Precinct, for the purposes of calculating compliance with this limit, account shall be taken of the cumulative effect of all land based activities undertaken within the Airport, other than aircraft operations, the operation of APUs and any engine testing.</p> <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>1. Type, intensity and duration of the noise;</li> <li>2. Number of annual occurrences;</li> <li>3. Mitigation or management measures;</li> <li>4. Health and safety;</li> <li>5. Effects on internal and external noise amenity for dwellings outside the Airport zone;</li> <li>6. The requirements of NZS 6803:1999 Acoustics – Construction Noise; and</li> <li>7. The Airport Noise Management Plan.</li> </ol> <p>In assessing noise effects, data may be used from a continuous noise monitoring station established to confirm compliance and may also be obtained from other locations.</p>		<p>of the assessment criteria, to include the level of specificity stated. It is also not clear what status (if any) this statement has.</p>	<p>c. All days 10pm to 7am 75 dB <math>L_{AFmax}</math></p> <p>2. In the East Side Precinct, for the purposes of calculating compliance with this limit, account shall be taken of the cumulative effect of all land based activities undertaken within the Airport <u>Zone</u>, other than aircraft operations, the operation of APUs and any engine testing.</p> <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>1. Type, intensity and duration of the noise;</li> <li>2. Number of annual occurrences;</li> <li>3. Mitigation or management measures;</li> <li>4. Health and safety;</li> <li>5. Effects on internal and external noise amenity for dwellings outside the Airport zone; <u>and</u></li> <li><del>6. The requirements of NZS 6803:1999 Acoustics – Construction Noise; and</del></li> <li><del>7. The Airport Noise Management Plan.</del></li> </ol> <p><del>In assessing noise effects, data may be used from a continuous noise monitoring station established to confirm compliance and may also be obtained from other locations</del></p>
<p><b>NOISE-S15 Miramar South Precinct</b></p> <p><i>Airport Zone (Miramar South)</i></p> <p>In relation to the Miramar South Precinct (“the Site”):</p> <ol style="list-style-type: none"> <li>1. Noise emission levels from within the Site when measured on any site that includes an occupied residence in the residential zone beyond the Site shall not exceed: <ol style="list-style-type: none"> <li>a. Monday to Sunday 7am to 10pm 55 dB <math>L_{Aeq(15\ min)}</math></li> <li>b. Monday to Sunday 1am to 6am 40 dB <math>L_{Aeq(15\ min)}</math></li> <li>c. At all other times 45 dB <math>L_{Aeq(15\ min)}</math></li> <li>d. All days 10pm to 7am 75 dB <math>L_{AFmax}</math></li> </ol> </li> <li>2. Noise emission levels from the Site when measured on any site in the Centre Zone shall not exceed: <ol style="list-style-type: none"> <li>a. At all times 60 dB <math>L_{Aeq(15\ min)}</math></li> <li>b. At all times 85 dB <math>L_{AFmax}</math></li> </ol> </li> <li>3. Noise during construction activities shall comply with the requirements of NZS 6803:1999 Acoustics – Construction Noise.</li> <li>4. A close-boarded fence (or other acoustically effective barrier) with a density of at least 10 kg/m<sup>2</sup> and a height of two metres shall be installed around the perimeter of the site excluding site access points. This shall be inspected regularly and maintained to ensure its continued acoustic effectiveness.</li> <li>5. Entry / egress for trucks shall not be located opposite residential zoned areas. Trucks shall not drive along the Residential zoned parts of Miro Street, Kedah Street, or Kauri Street except where there are specific circumstances where this is necessary.</li> </ol>		<p>For the reasons set out in paragraph 4.62 to 4.75 of WIAL’s covering submission, it is inappropriate to replicate the aircraft noise management obligations inherent in Designation WIAL4 and WIAL5 in the Noise Chapter.</p> <p>Furthermore, many of the conditions here have already been achieved by existing development undertaken by WIAL on site and it is therefore unnecessary for those matters to be dealt with here (as well as in the Designation).</p>	<p>Delete or amend the standard as follows:</p> <p><i>In relation to the Miramar South Precinct (“the Site”):</i></p> <ol style="list-style-type: none"> <li>1. Noise emission levels from within the Site when measured on any site that includes an occupied residence in the residential zone beyond the Site shall not exceed: <ol style="list-style-type: none"> <li>a. Monday to Sunday 7am to 10pm 55 dB <math>L_{Aeq(15\ min)}</math></li> <li>b. Monday to Sunday 1am to 6am 40 dB <math>L_{Aeq(15\ min)}</math></li> <li>c. At all other times 45 dB <math>L_{Aeq(15\ min)}</math></li> <li>d. All days 10pm to 7am 75 dB <math>L_{AFmax}</math></li> </ol> </li> <li>2. Noise emission levels from the Site when measured on any site in the Centre Zone shall not exceed: <ol style="list-style-type: none"> <li>a. At all times 60 dB <math>L_{Aeq(15\ min)}</math></li> <li>b. At all times 85 dB <math>L_{AFmax}</math></li> </ol> </li> <li><del>3. Noise during construction activities shall comply with the requirements of NZS 6803:1999 Acoustics – Construction Noise.</del></li> <li><del>4. A close-boarded fence (or other acoustically effective barrier) with a density of at least 10 kg/m<sup>2</sup> and a height of two metres shall be installed around the perimeter of the site excluding site access points. This shall be inspected regularly and maintained to ensure its continued acoustic effectiveness.</del></li> </ol>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>6. Truck engines shall not be left to idle on the Site and signage shall be placed in appropriate locations within the Site to advise drivers of this requirement. The Airport or its agents shall actively monitor this requirement.</p> <p>7. Building services shall be designed such that noise levels from this source at the Site boundary are at least 10 dB lower than the limits set out in 1 above.</p> <p>8. All warehouse doors shall be fast closing and shall remain closed at night-time unless in use.</p> <p>9. There shall be no servicing or maintenance of equipment outdoors at night.</p> <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>1. Type, intensity and duration of the noise;</li> <li>2. Mitigation or management measures;</li> <li>3. Health and safety;</li> <li>4. Effects on internal and external noise amenity for dwellings outside the Miramar South Precinct;</li> <li>5. The requirements of NZS 6803:1999 Acoustics – Construction Noise;</li> <li>6. The Airport Miramar South Construction Noise Management Plan;</li> <li>7. The acoustic assessment report prepared by the Airport for development of the Site; and</li> <li>8. The Airport Noise Management Plan.</li> </ol>			<p><del>5. Entry / egress for trucks shall not be located opposite residential zoned areas. Trucks shall not drive along the Residential zoned parts of Miro Street, Kedah Street, or Kauri Street except where there are specific circumstances where this is necessary.</del></p> <p><del>6. Truck engines shall not be left to idle on the Site and signage shall be placed in appropriate locations within the Site to advise drivers of this requirement. The Airport or its agents shall actively monitor this requirement.</del></p> <p>7. Building services shall be designed such that noise levels from this source at the Site boundary are at least 10 dB lower than the limits set out in 1 above.</p> <p><del>8. All warehouse doors shall be fast closing and shall remain closed at night-time unless in use.</del></p> <p>9. There shall be no servicing or maintenance of equipment outdoors at night.</p> <p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> <li>1. Type, intensity and duration of the noise;</li> <li>2. Mitigation or management measures;</li> <li>3. Health and safety;</li> <li>4. Effects on internal and external noise amenity for dwellings outside the Miramar South Precinct;</li> <li>5. The requirements of NZS 6803:1999 Acoustics – Construction Noise;</li> <li><del>6. The Airport Miramar South Construction Noise Management Plan;</del></li> <li><del>7. The acoustic assessment report prepared by the Airport for development of the Site; and</del></li> <li><del>8. The Airport Noise Management Plan.</del></li> </ol>
<b>Ngā Tohu – Signs</b>			
<p><b>SIGN-O1 Role of signage</b></p> <p>Signs support the needs of the community to advertise and inform while the effects on local amenity are effectively managed.</p>			
<p><b>Sign-P1 Appropriate Signs</b></p> <p>Allow signs where:</p> <ol style="list-style-type: none"> <li>1. They are of an appropriate size, design and location; and</li> <li>2. They do not result in visual clutter; and</li> <li>3. Any potential cumulative effects are managed; and</li> <li>4. They are required to meet regulatory or statutory requirements; and</li> </ol>	Oppose	As drafted, the use of the term “and” between each paragraph sets an unduly onerous and high bar for signage to be considered “appropriate”. For example, if a sign must be required to meet regulatory or statutory requirements due to use, a very narrow scope of signage would only be permitted (i.e. “official” signage such as road signs, health and safety signs etc).	<p>Refine and reorder the policy to ensure the appropriate conjunction is used between sub-paragraphs as follows:</p> <p>Allow signs where:</p> <ol style="list-style-type: none"> <li>1. They are of an appropriate size, design and location; <del>and or</del></li> <li>2. They do not result in visual clutter; <del>and or</del></li> <li><del>3. Any potential cumulative effects are managed; and</del></li> </ol>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>5. They do not compromise the efficiency of the transport network or the safety of its users, including cyclists and pedestrians; and</p> <p>6. In the Residential, Rural and Open Space Zones, they relate to an activity on the site on which they are located; and</p> <p>They maintain the character and amenity values of the site and the surrounding area.</p>			<p>4. They are required to meet regulatory or statutory requirements; and</p> <p>5. <u>Any potential cumulative effects are managed; and</u></p> <p>6. They do not compromise the efficiency of the transport network or the safety of its users, including cyclists and pedestrians; and</p> <p>7. In the Residential, Rural and Open Space Zones, they relate to an activity on the site on which they are located; and</p> <p>8. They maintain the character and amenity values of the site and <u>do not significant detract from</u> the surrounding area.</p>
<p><b>SIGN-P3 Digital and illuminated signs</b></p> <p><b>Digital and illuminated signs</b></p> <p>Provide for digital and illuminated signs where:</p> <ol style="list-style-type: none"> <li>1. The sign is compatible with the zone and any overlay; and</li> <li>2. The sign does not compromise aircraft safety or the safe and efficient functioning of the Airport; and</li> <li>3. The sign does not compromise traffic, pedestrian, or cycling safety; and</li> <li>4. Any light spill or glare effects are managed so they do not compromise amenity values; and</li> <li>5. The sign is not visible from a state highway.</li> </ol>	Oppose in part	For the reasons set out in paragraphs 4.103 to 4.106, WIAL opposes this policy.	<p>Delete or amend the policy as follows:</p> <p><b>Digital and illuminated signs</b></p> <p>Provide for digital and illuminated signs where:</p> <ol style="list-style-type: none"> <li>1. The sign is compatible with the zone and any overlay; and</li> <li>2. The sign does not compromise aircraft safety or the safe and efficient functioning of the Airport; and</li> <li>3. The sign does not compromise traffic, pedestrian, or cycling safety; and</li> <li>4. Any light spill or glare effects are managed so they do not compromise amenity values; and</li> <li>5. The sign is not <u>directed at users of the <del>visible from a</del></u> state highway.</li> </ol>
<p><b>SIGN-P6 Airport Zone signage</b></p> <p>Manage signage within the Airport Zone to:</p> <ol style="list-style-type: none"> <li>1. Achieve operational safety within the airport; and</li> <li>2. Ensure signage is designed and located in a way which will not detract from the character of the locality and will not cause a traffic hazard.</li> </ol>		Signs are a common feature of Airports. Notwithstanding, WIAL supports Policy SIGN-P6 as recognises that signage with the Airport Zone needs to be designed to be in keep with the character of the area and not create a traffic hazard.	Retain as notified.
<p><b>SIGN-R1 Official Signs</b></p> <p><b>SIGN-R2 Temporary Signage</b></p>	Oppose in part	For the reasons set out in paragraphs 4.103 to 4.106 of the covering submission, WIAL opposes these rules to the extent that they cross reference SIGN-S14.	Delete the rules insofar as they relate to SIGN-S14, or amend SIGN-S14 as per WIAL's submission or exclude the rule from applying in the Airport zone.
<p><b>SIGN-R3 On-site signs</b></p> <p><i>Airport Zone</i></p> <ol style="list-style-type: none"> <li>2. Activity status: <b>Permitted</b></li> </ol> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance is achieved with: <a href="#">SIGN-S14</a>.</li> </ol>	Oppose in part	<p>For the reasons set out in paragraphs 4.103 to 4.106 of the covering submission, WIAL opposes these rules to the extent that they cross reference SIGN-S14.</p> <p>Furthermore, WIAL submits that while Rule SIGN-R3(3) is intended to apply to the Airport Zone, as drafted it does not engage the Airport Zone rules. An amendment is therefore required to Rule SIGN-R3(3)(a) to cross reference SIGN-R3.2.</p>	<p>Delete the rule insofar as it relates to SIGN-S14, or amend SIGN-S14 as per WIAL's submission and amend Rule SIGN-R3(3)(a) as follows:</p> <ol style="list-style-type: none"> <li>3. Activity status: <b>Restricted Discretionary</b></li> </ol> <p>Where:</p> <ol style="list-style-type: none"> <li>a. Compliance with the requirements of <a href="#">SIGN-R3.1</a> or <a href="#">SIGN-R3.2</a> cannot be achieved.</li> </ol> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>1. The matters in <a href="#">SIGN-P1</a>, <a href="#">SIGN-P2</a>, <a href="#">SIGN-P3</a> and <a href="#">SIGN-P6</a>;</li> </ol>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
			<p>2. <u>The Signs Design Guide</u>; and</p> <p><i>The extent and effect of non-compliance with any relevant standard and the matters as specified in the associated assessment criteria for the infringed standards.</i></p> <p>Or exclude the rule from applying in the Airport zone</p>
<p><b>SIGN-R4 Third Party Signs</b></p> <p>City Centre Zone, General Industrial Zone, Neighbourhood Centre Zone, Local Centre Zone, Mixed Use Zone, Commercial Zone, Metropolitan Centre Zone, Airport Zone, Hospital Zone, Port Zone, Stadium Zone, Tertiary Education Zone, Waterfront Zone</p> <p>1. Activity status: <b>Permitted</b> Where:</p> <p>a. Compliance is achieved with:</p> <ol style="list-style-type: none"> <li>i. <a href="#">SIGN-S1</a>;</li> <li>ii. <a href="#">SIGN-S2</a>;</li> <li>iii. <a href="#">SIGN-S3</a>;</li> <li>iv. <a href="#">SIGN-S4</a>;</li> <li>v. <a href="#">SIGN-S5</a>;</li> <li>vi. <a href="#">SIGN-S6</a>;</li> <li>vii. <a href="#">SIGN-S7</a>;</li> <li>viii. <a href="#">SIGN-S9</a>;</li> <li>ix. <a href="#">SIGN-S11</a>; and</li> <li>x. <a href="#">SIGN-S14</a>.</li> </ol> <p>2. Activity status: <b>Restricted Discretionary</b> Where:</p> <p>a. Compliance cannot be achieved with the requirements of <a href="#">SIGN-R4.1.a.i. to SIGN-R4.1.a.x</a> (excluding SIGN-R4.1.a.x and SIGN-S14.7).</p> <p>Matters of discretion are:</p> <ol style="list-style-type: none"> <li>1. The matters in <a href="#">SIGN-P1</a>, <a href="#">SIGN-P2</a>, <a href="#">SIGN-P3</a> and <a href="#">SIGN-P6</a>;</li> <li>2. <u>The Signs Design Guide</u>; and</li> <li>3. The extent and effect of non-compliance with any relevant standard and the matters as specified in the associated assessment criteria for the infringed standards.</li> <li>3. ....</li> </ol> <p>Airport Zone (Miramar South Precinct)</p> <p>4. Activity status: <b>Non-complying</b> Where:</p> <p>a. Compliance cannot be achieved with <a href="#">SIGN-S14.7 (Miramar South Precinct)</a>.</p> <p>Notification Status: An application for resource consent made in respect of this rule must be publicly notified.</p>	<p>Oppose</p>	<p>For the reasons set out in paragraphs 4.103 to 4.106 of the covering submission, WIAL opposes these rules to the extent that they cross reference SIGN-S14.</p> <p>Furthermore, WIAL submits that the non-complying activity status, as set out in Rule SIGN(4) for the Miramar South Precinct and the associated notification clause in inappropriate in the context of an Airport Zone and has not been adequately justified in terms of section 32 of the RMA and is inconsistent with SIGN P6. WIAL also notes that the only other signage with a similar status relates to digital signage with the sensitive land use zones such as residential, open space and rural zones. No other signage provisions are subject to a similar notification clause.</p> <p>WIAL submits that that a restricted discretionary activity status for non-compliance with SIGN-S14.7 (insofar as they relate to third party signage) would be more appropriate and that the notification clause should be deleted, with the necessity or otherwise of public notification assessed under the notification provisions of the RMA.</p>	<p>Insert a new Rule SIGN-R4(2) and remove the Airport Zone from Rule SIGN-R4(1):</p> <p><u>Airport Zone</u></p> <p>1. <u>Activity Status: Permitted</u> <u>Where:</u></p> <p>a. <u>Compliance is achieved with:</u></p> <ol style="list-style-type: none"> <li>i. <a href="#">SIGN-S7</a>;</li> <li>ii. <a href="#">SIGN-S9</a>; and</li> <li>iii. <a href="#">SIGN-S14 [as amended by submission point below]</a></li> </ol> <p>2. <u>Activity status: Restricted Discretionary</u> <u>Where:</u></p> <p>a. <u>Compliance cannot be achieved with the requirements of SIGN-R4.1.</u></p> <p><u>Matters of discretion are:</u></p> <ol style="list-style-type: none"> <li>1. <u>The matters in SIGN-P1, SIGN P2, SIGN-P3 and SIGN-P6;</u></li> <li>2. <u>The Signs Design Guide</u>; and</li> <li>3. <u>The extent and effect of non-compliance with any relevant standard and the matters as specified in the associated assessment criteria for the infringed standards.</u></li> </ol> <p>Delete Rule SIGN-R4 4 including the relevant notification clause</p> <p>Airport Zone (Miramar South Precinct)</p> <p>2. <u>Activity status: Non-complying Discretionary</u> <u>Notification Status: An application for resource consent made in respect of this rule must be publicly notified.</u></p>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<b>SIGN-R5 Digital Signs</b>	Oppose	For the reasons set out in paragraphs 4.103 to 4.106, WIAL opposes this rule insofar as it relates to the Airport Zone.	Delete or amend the rule to make digital signage controlled within the Airport Zone where it complies with the relevant standards.
<b>SIGN-S5 Signs located on a building or structure</b>	Oppose	For the reasons set out in paragraphs 4.103 to 4.106, WIAL opposes this rule insofar as it relates to the Airport Zone. Many airport buildings are utilitarian in appearance due to their operational or functional requirements. Signs can therefore enhance the facade and appearance of the building.	Amend the rule to exclude its application to the Airport Zone.
<b>SIGN-S8 Digital Signs</b>	Support in part	For the reasons set out in paragraphs 4.103 to 4.106 of the covering submission WIAL supports Assessment Criteria 2, however submits that the criteria with respect to aircraft safety should refer to "the effect" on aircraft rather than the "impact" as the former is more readily understood and applied in a RMA context.	Retain as notified, subject to the change sought regarding the use of the term "impact"
<b>SIGN-S9 Illuminated Signs</b>	Oppose in part	For the reasons set out in paragraphs 4.103 to 4.106 of the covering submission WIAL opposes this standard in part.	Retain as notified, subject to a standard clause and assessment criteria being included as follows: <i>SIGN-S9 Illuminated Signs</i> 4. <u><i>Illuminated signs must not impair the ability of Air Traffic Control to guide aircraft, or pilots to operate aircraft.</i></u>  <i>Assessment criteria where the standard is infringed:</i> ..... 9. <u><i>The timing and house of operation of the sign; and</i></u> 10. <u><i>Any light spill or glare effects; and</i></u> 11. <u><i>The effect of the sign on aircraft safety or the efficient functioning of the Airport.</i></u>
<b>SIGN-S14 Airport Zone signs and billboards- Airport Zone</b> 1. Signs are not permitted in the Airport East Side designation. 2. Any sign which is erected in the Airport Miramar South designation, and which is visible from the road reserve or immediately adjacent land: a. Shall not contain moving images, moving text or moving lights; and b. Shall not be for the purpose of third party advertising. <u>Airport Main Site Designation</u> 3. Signs on buildings shall: a. Be affixed to the underneath of a verandah and shall provide at least 2.5 metres clearance directly above the footpath or ground level. b. Be displayed only on plain wall surfaces. c. Not obscure windows or architectural features. d. Not project above the parapet level, or the highest part of that part of the building/structure to which it is attached (including above verandah).	Oppose	For the reasons set out in paragraphs 4.103 to 4.106 of the covering submission, WIAL opposes SIGN-S14.  Furthermore: 1. The blanket requirement for there to be no signs within the Airport East Side Designation should be deleted as it is unduly onerous and does not recognise or provide for the operational needs of the airport within this area. 2. The standard should remove all references to designations. The rules of the signage chapter (and all chapters) need to be stand alone 3. The standard should not duplicate controls addressed by other standards (for example, SIGN-S6); and	Delete SIGN-S14 or amend as follows: 1. <u><i>Any sign within the East Side Precinct shall be limited to official signs and signs associated instructional or directional signage.</i></u> <del><i>Signs are not permitted in the Airport East Side designation.</i></del> 2. <u><i>Any sign which is erected in the Miramar South Designation Precinct and which is visible from the road reserve or immediately adjacent land:</i></u> <del><i>a. Shall not contain moving images, moving text or moving lights; and</i></del> <del><i>b. Shall not be for the purpose of third party advertising.</i></del> <u><i>Airport Main Site Designation</i></u> <del><i>3. Signs on buildings shall:</i></del>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p>4. Signs on buildings, where the sign projects more than 12 metres in height above ground shall:</p> <p>a. Bear only the name and/or logo of the building owner or occupier, or the building on which the sign is located.</p> <p>b. Not flash.</p> <p>5. Any illuminated sign (excluding signs below verandah level) within 50 metres and visible from any Residential zone shall not flash.</p> <p>6. For any free-standing sign or sign located on a structure within any part of the Airport area, except the (Airport Main Site) Terminal Precinct:</p> <p>a. the maximum area is 8m<sup>2</sup>.</p> <p>b. the maximum height is 4m.</p> <p>c. any illuminated sign must not flash.</p> <p>d. any sign that is visible from Residential zoned land must be located a minimum of 50 metres from that area.</p> <p>e. no sign shall front onto State Highway 1, Moa Point Road, or Lyall Parade.</p> <p>7. In relation to requiring authority signage in the (Airport Main Site) Terminal precinct, any free-standing sign or sign located on a structure shall not exceed a maximum height of 9 metres (above ground level).</p>		<p>4. The rule should not include additional constraints that are not required by other signage rules for example, SIGN-S14(4) and (5).</p>	<p><del>a. Be affixed to the underneath of a verandah and shall provide at least 2.5 metres clearance directly above the footpath or ground level.</del></p> <p><del>b. Be displayed only on plain wall surfaces.</del></p> <p><del>c. Not obscure windows or architectural features.</del></p> <p><del>d. Not project above the parapet level, or the highest part of that part of the building/structure to which it is attached (including above verandah).</del></p> <p><del>4. Signs on buildings, where the sign projects more than 12 metres in height above ground shall:</del></p> <p><del>a. Bear only the name and/or logo of the building owner or occupier, or the building on which the sign is located.</del></p> <p><del>b. Not flash.</del></p> <p><del>5. Any illuminated sign (excluding signs below verandah level) within 50 metres and visible from any Residential zone shall not flash.</del></p> <p><del>6. For any free-standing sign or sign located on a structure within any part of the Airport <u>Zone</u> area, except the Terminal Precinct:</del></p> <p><del>a. the maximum area of a single sign is 8m<sup>2</sup>.</del></p> <p><del>b. the maximum height of a single sign is 4m.</del></p> <p><del>c. any illuminated sign must not flash.</del></p> <p><del>d. any sign that is visible from Residential zoned land must be located a minimum of 50 metres from that area.</del></p> <p><del>e. no sign shall front onto State Highway 1, Moa Point Road, or Lyall Parade.</del></p> <p><del>7. In relation to requiring authority signage in the (Airport Main Site) Terminal precinct, any free-standing sign or sign located on a structure shall not exceed a maximum height of 9 metres (above ground level).</del></p> <p><del>8. For any free-standing sign or sign located on a structure within the Terminal Precinct, the maximum area of a single sign must not exceed 20m<sup>2</sup>.</del></p>
<b>Ngā Mahi Taupua - Temporary Activities</b>			
Introduction	Support in part	For the reasons set out in paragraphs 4.111 to 4.113 of the covering submission, WIAL submits that an advice note should be included in the introduction of the temporary activity chapter drawing plan users attention to the presence of the OLS designation and the need to adhere to its requirements, in addition to those set out in the Temporary Activities chapter of the Proposed Plan.	Include the following additional text within the Introduction chapter:  <u>Temporary activities involving temporary structures such as cranes in the vicinity of Wellington International Airport are also drawn to the requirements of the Wellington International Airport Obstacle Limitation Surface designation.</u>



ANNEXURE A – Wellington International Airport Limited submissions on the Proposed Wellington City Council District Plan

Text highlighted with underlining (*example*) represents proposed insertions

Text highlighted with strikethrough (*example*) represents proposed deletions

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<b>NGĀ KAUPAPA E HĀNGAI PŪ ANA KI TE ROHE - AREA SPECIFIC MATTERS</b>			
<b>NGĀ AHOAHO ME NGĀ ROHE Ā-RĒHIA - OPEN SPACE AND RECREATION ZONES</b>			
<b>NOSZ – He Rohe Ahoaho Māori - Natural Open Space Zone</b>			
<p><b>New Objective, Policy and Methods relating to seawall from Lyall Bay to Moa Point, add new subzone or rezone.</b></p>		<p>For the reasons set out in paragraphs 4.40 to 4.45 of the covering submission, WIAL submits that:</p> <ol style="list-style-type: none"> <li>1. The area of Natural Open Space zoned land located between Lyall Bay and Moa Point should be rezoned to an alternative land use zone which more accurately reflects the existing environment, including the significant hard engineering structures which currently protect Moa Point Road, the wastewater treatment network and Wellington International Airport from the effects of coastal erosion; or,</li> <li>2. A bespoke planning framework be inserted into the Natural Open Space Zone chapter that recognises the role and function of seawall between Lyall Bay and Moa Point and provide for its ongoing maintenance, repair and upgrade.</li> </ol>	<p>Delete the area of the seawall and associated structures above mean high water springs between Lyall Bay and Moa Point from the Natural Open Space zone and rezone to an alternative more appropriate zone (such as Airport Zone) or sub zone.</p> <p>Or, as a less favoured alternative, amend the Natural Open Space zone in line with the following:</p> <p>For example, a new objective, policy and method or subzone could be inserted as follows:</p> <p>New Objective OSZ-O5</p> <p><b><u>NOSZ-O5 Protecting Regionally Significant Infrastructure</u></b></p> <p><u>Recognise that the Natural Open Space Zone, between Lyall Bay and Moa Point, contains a significant hard engineering structures designed to protect regionally significant infrastructure from coastal erosion, and provide for the ongoing maintenance, repair and upgrade of such structures.</u></p> <p>New Policy NOSZ-P8</p> <p><b>Enabling seawalls that protect regionally significant infrastructure between Lyall Bay and Moa Point</b></p> <p><u>Enable the ongoing maintenance, repair and upgrade of the sea wall and associated activities between Lyall Bay and Moa Point.</u></p>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
			<p>New Policy NOSZ-P9</p> <p><b><u>NOSZ-P9 Adverse effects of seawall construction, alteration and additions</u></b></p> <p><u>Manage the adverse effects of construction, alterations and additions to the seawall between Lyall Bay and Moa Point, including effects on:</u></p> <ol style="list-style-type: none"> <li>1. <u>Natural and physical resources;</u></li> <li>2. <u>Amenity values;</u></li> <li>3. <u>The identified values of Overlays;</u></li> <li>4. <u>The safe and efficient operation of other infrastructure; and</u></li> <li>5. <u>The health, well-being and safety of people and communities.</u></li> </ol> <p>New Method NOSZ-R12 which relates to land use activities as follows (note Rule NOSZ-R13 permits the maintenance and repair of buildings and structures, including sea walls):</p> <p><b><u>NOSZ-R12 Construction, maintenance, alteration, addition, and upgrade of the seawall between Lyall Bay and Moa Point.</u></b></p> <ol style="list-style-type: none"> <li>1. <u>Activity Status: Permitted</u></li> </ol> <p>New Method that relates to the construction, alteration of and addition to seawalls as follows:</p> <p><b><u>NZSO-R15 Alteration and addition to existing seawalls (including construction)</u></b></p> <ol style="list-style-type: none"> <li>1. <u>Activity status: Permitted</u> <u>Where:</u> <ol style="list-style-type: none"> <li>a. <u>Compliance with the Standard NOSZ-S6 is met.</u></li> </ol> </li> <li>2. <u>Activity status: Restricted Discretionary</u> <u>Where:</u> <ol style="list-style-type: none"> <li>a. <u>Compliance with NOSZ-R15.1 is not met.</u></li> </ol> </li> </ol> <p><u>Matters of discretion are:</u></p> <ol style="list-style-type: none"> <li>1. <u>The matters in NZSO-P9.</u></li> </ol>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
			<p>Insert new standards that specifically apply to the seawall between Lyall Bay and Moa Point as follows:</p> <p><b><u>NOSZ-S6 Seawall structures between Lyall Bay and Moa Point</u></b></p> <p>1. <u>Maintenance, repair, upgrade construction, addition and alteration to the seawall located between Lyall Bay and Moa Point:</u></p> <p>a. <u>Any addition shall add no more than 1m in vertical projection to the structure, as it existed on the date on [insert date plan is made operative].</u></p> <p><u>Assessment criteria where the standard is not met:</u></p> <p>1. <u>The extent to which the additional height is necessary to provide for functional needs or operational needs of the activities on the site; and</u></p> <p>2. <u>Whether topographical or other site constraints make compliance with the standard impractical.</u></p> <p>3. <u>The importance of protecting the adjacent regionally significant infrastructure.</u></p>
<b>NOSZ-O1 Purpose</b>	Oppose	For the reasons set out in paragraphs 4.40 to 4.45 of the covering submission, WIAL opposes these provisions as they create an unduly onerous consenting pathway for the ongoing maintenance, repair and upgrading of the seawall between Lyall Bay and Moa Point.	Delete the area of the seawall and associated structures above mean high water springs between Lyall Bay and Moa Point from the application of these rules.
<b>NOSZ-O2 Managing effects</b>	Oppose		
<b>NOSZ-P1 Enabled activities</b>	Oppose		
<b>NOSZ-P4 Potentially compatible activities</b>	Oppose		
<b>NOSZ-P5 Enabled buildings and structures</b>	Oppose		
<b>NOSZ-P6 Potentially compatible buildings and structures</b>	Oppose		
<p><b>NOSZ-R11 Any other activity not provided for as a permitted activity</b></p> <p>1. Activity status: <b>Discretionary</b></p>	Oppose	For the reasons set out in paragraphs 4.40 to 4.45 of the covering submission, WIAL opposes these provisions as they create an unduly onerous consenting pathway for the ongoing maintenance, repair and upgrading of the seawall between Lyall Bay and Moa Point.	<p>Exclude the area of the seawall and associated structures above mean high water springs between Lyall Bay and Moa Point from the application of this rule.</p> <p>Consequential and/or alternative amendments are necessary to enable the maintenance, repair and upgrading of the existing seawall located between Lyall Bay and Moa Point, as described above.</p>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
<p><b>NOSZ-R12 Demolition or removal of buildings and structures</b></p> <p>1. Activity status: <b>Permitted</b></p>	Support	<p>For the reasons set out in paragraphs 4.40 to 4.45 of the covering submission, WIAL supports the permitted activity status for the demolition, removal, maintenance and repair of structures, such as sea walls, within the Natural Open Space Zone.</p>	Retain as notified subject to the submission point above.
<p><b>NOSZ-R13 Maintenance and repair of buildings and structures</b></p> <p>1. Activity status: <b>Permitted</b></p> <p>Note: for the avoidance of doubt buildings and structures include seawalls.</p>	Support		Retain as notified subject to the submission point above.
<p><b>NOSZ-R14 Construction, alteration of and addition to buildings and structures</b></p> <p>1. Activity status: <b>Permitted</b></p> <p>Where:</p> <p>a. Compliance with the following standards is achieved:</p> <p>i. <a href="#">NOSZ-S1</a>;</p> <p>ii. <a href="#">NOSZ-S2</a>;</p> <p>iii. <a href="#">NOSZ-S3</a>;</p> <p>iv. <a href="#">NOSZ-S4</a>; and</p> <p>v. <a href="#">NOSZ-S5</a>.</p> <p>2. Activity status: <b>Discretionary</b></p> <p>Where:</p> <p>a. Compliance with any of the requirements of NOSZ-R14.1.a cannot be achieved.</p>	Support in part	<p>WIAL supports this rule in part, however submits that a further amendment is required to ensure that the rule does not inadvertently capture the seawall between Lyall Bay and Moa Point, which WIAL proposes is subject to its own planning framework.</p>	<p>Amend NOSZ-R14 as follows subject to the submission point above:</p> <p><b><i>NOSZ-R14 Construction, alteration of and addition to buildings and structures (excluding seawalls)</i></b></p>
<p><b>STANDARDS</b></p> <p><b>NOSZ-S1 Maximum height of buildings and structures</b></p> <p>1. Buildings and structures must not exceed the following maximum height limits above ground level</p>	Support in part	<p>WIAL supports this rule in part, however submits that a further amendment is required to ensure that the standards appropriately provide for the height of seawall structures between Lyall Bay and Moa Point, which WIAL proposes is subject to its own planning framework.</p>	<p>Amend the standard as follows subject to the submission point above:</p> <p><b><i>NOSZ-S1 Maximum height of buildings and structures (excluding seawalls)</i></b></p> <p>1. <i>Buildings and structures (excluding seawalls) must not exceed the following maximum height limits above ground level.</i></p>
<p><b>NOSZ-S2 Maximum gross floor area</b></p> <p>1. Each individual building and /or structure on a site, including any external alterations or additions, must not exceed a maximum gross floor area of 30m<sup>2</sup>.</p> <p>This standard does not apply to:</p> <p>a. Additions and alterations to existing buildings at Karori Wildlife Sanctuary (Zealandia, Legal Description Lot 1 DP 313319).</p> <p>Assessment criteria where the standard is infringed:</p> <p>1. Dominance, privacy and shading effects on adjoining sites;</p> <p>2. The extent to which adverse effects of the additional floor area can be mitigated, including by the natural or physical features of the site, setbacks, landscaping or screening; and</p>	Oppose		<p>Amend NOSZ-S2 as follows:</p> <p><b><i>NOSZ-S2 Maximum gross floor area</i></b></p> <p>1. ....</p> <p><i>This standard does not apply to:</i></p> <p>a. <i>Additions and alterations to existing buildings at Karori Wildlife Sanctuary (Zealandia, Legal Description Lot 1 DP 313319).</i></p> <p>b. <u><i>The maintenance, repair, upgrade, construction, addition or alteration to</i></u></p>

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
3. The extent to which the additional floor area is necessary to provide for functional needs or operational needs of the activities on the site.			<u>the seawall located between Lyall Bay and Moa Point.</u>
<b>NOSZ-S3 Maximum building coverage</b> 1. Maximum building coverage is 5% Assessment criteria where the standard is infringed: 1. Dominance, privacy and shading effects on adjoining sites; 2. The extent to which adverse effects of the increased building coverage can be mitigated, including by the natural or physical features of the site, setbacks, landscaping or screening; 3. The extent to which the additional building coverage is necessary to provide for functional needs or operational needs of the activities on the site; and. 4. Whether topographical or other site constraints make compliance with the standard impractical.	Oppose		<b>NOSZ-S3 Maximum building coverage</b> 1. Maximum building coverage is 5% <u>This standard does not apply to:</u> a. <u>The maintenance, repair, upgrade, construction, addition or alteration to the seawall located between Lyall Bay and Moa Point.</u>
<b>AIRPORT ZONE</b>			
<b>Entire Chapter</b>	Oppose	For the reasons set out in paragraphs 4.56 to 4.61 of the covering submission, WIAL opposes the introductory text of the Airport Zone.	Replace the Airport Zone with the revised drafting attached as Annexure B to WIAL's submission.
<b>NGĀ ĀPITIHINGA, NGĀ ARATOHU HOAHOA ME NGĀ HŌTAKA - APPENDICES, DESIGN GUIDES AND SCHEDULES</b>			
<b>APP4 – Ngā Paerewa Haunene e Whakaetia ana - Permitted Noise Standards</b>			
APP4 – Permitted Noise Standards Table 21 – APP4: Aircraft Operations Noise emitted from activities within the Airport Zone must not exceed the following limits....	Oppose	For the reasons set out in paragraphs 4.70 and 4.74, of the covering submission, WIAL opposes this standard.	Delete Table 21 of APP4.
<b>PART 5 MAPS</b>			
Mapped extent of the Airport Zone	Support	The mapped extent of the Airport Zone incorporates all of the Airport's precincts. This is appropriate as it reflects the primary use of the land for airport purposes.	Retain the mapped extent of the Airport Zone.
Mapped extent of the Coastal Inundation Overlay	Oppose	As set out in paragraphs 4.85 to 4.89 of the covering submission, WIAL is not opposed to the coastal inundation mapping in principle, however considers further nuancing of the provisions that relate to coastal hazards and more specifically, tsunami hazard, is required.	Oppose the mapping of coastal hazards insofar as it relates to coastal tsunami hazard and the subsequent application of the coastal hazard methods that apply to those areas.
Mapped extent of the Flood Hazard Overlay	Oppose in part	As set out in paragraph 4.86, WIAL is required to manage and drain surface water ponding to avoid giving rise to adverse effects on aeronautical safety.	Delete the Flood Hazard Overlay from the Airport Zone.

PROVISION	POSITION	REASONS	RELIEF SOUGHT (subject to general relief sought in the covering submission)
		<p>Accordingly, WIAL manages surface water on site to ensure ponding does not arise.</p> <p>WIAL therefore opposes the mapping of 'inundation areas' mapped within the Airport Zone as ponding, such as that depicted on the District Planning maps, does not occur within its landholdings.</p>	
Mapped extent of the Liquefaction Hazard Overlay	Oppose in part	<p>As set out in paragraph 4.86, WIAL is required to manage liquefaction risk to ensure the Airport can continue to operate following as seismic event.</p> <p>WIAL therefore opposes the mapping of 'liquefaction hazard overlay' mapped within the Airport Zone.</p>	Delete the Liquefaction Hazard Overlay from the Airport Zone.
<p>Mapped extent of the Significant Natural Area (Schedule 8)</p> <p>Moa Point Gravel Dunes SNA Site Number WC175</p> <p>Lyllall Bay Dunes SNA Site Number WC176</p>	Oppose	WIAL opposes the mapped extent of the Lyall Bay and Moa Point Dunes for the reasons set out in paragraphs 4.50 to 4.53.	Delete the Moa Point and Lyall Bay Dunes SNAs, Site Numbers WC175 and WC176 respectively.
Mapped extent of the Coastal Environment	Oppose	<p>WIAL acknowledges its siting within the coastal environment, as defined by the NZCPS and the Greater Wellington Regional Policy Statement.</p> <p>WIAL is concerned however, that the complex relationship between the Coastal Environment, Infrastructure and Airport Zone provisions creates an inefficient consenting pathway for airport and airport related activities.</p>	<p>Delete the Coastal Environment overlay from the Airport zone</p> <p>Or as a less favoured alternative, retain the mapped extent of the coastal environment only if the relationship and consenting pathway for activities within the coastal environment (insofar as they relate to activities undertaken within the Airport Zone) are enabled, streamlined and reflective of the existing environment.</p>

## **ANNEXURE B – Wellington International Airport Limited proposed redrafting of the Proposed Wellington City Council District Plan Airport Zone**

### **He Rohe Taunga Wakarererangi Airport Zone**

#### **AIRPZ      Airport Zone**

##### **Introduction**

The Airport Zone is an area used predominantly for the operation and development of Wellington International Airport as well as operational areas and facilities, administrative, commercial and industrial activities associated with the airport.

The Airport Zone and associated Infrastructure chapter (sub chapters) recognise and protect the Airport's status as Regionally Significant Infrastructure and its economic and physical importance as a transport hub and facilitator of economic activity at a District, Regional and National level.

Wellington International Airport Limited (WIAL) is the Airport's owner and operator. WIAL is a Requiring Authority for the purposes of Part 8 of the RMA and holds four Designations that broadly apply to the Airport Zone area and its surrounds (see Part 3 of the District Plan for operative Designations). These include:

1. Designation WIAL1;
2. Designation WIAL2
3. Designation WIAL4; and
4. Designation WIAL5

The nature, timing and physical extent of development within the Airport Zone will be driven by diverse local, national and international factors over the life of this District Plan and beyond. Such activity will also be informed and guided by WIAL's master plan – a non statutory document that guides the development and growth of the Airport over a 20 year period and ensures that the operational imperatives of the Airport are protected at all times.

Some Airport relevant provisions are set out in other chapters, including Noise, Signs, Earthworks, Light and Designations.

The Act, and therefore the District Plan, share the same broad definition of 'infrastructure', which includes airports. Notwithstanding that, the rules within the Infrastructure Chapter (including sub chapters) of the District Plan specifically exclude activities that fall under the definition of airport or airport related activities which occur within the Airport Zone. Any infrastructure within the Airport Zone that is inconsistent with those definitions or any airport or airport-related activities located outside of the Airport Zone continue to be managed by the rules within the Infrastructure Chapter (and associated sub chapters).

##### **Airport Precincts**

The Airport Zone comprises of eight precincts which reflect the primary function of the areas and/or their environmental context. Described further below and shown on the plan included at the end of this chapter as Figure 1 these precincts include:

1. The Airside Precinct;
2. The Broadway Precinct;
3. The East Side Precinct;
4. The Miramar South Precinct.
5. The Rongotai Ridge Precinct;
6. The South Coast Precinct;
7. The Terminal Precinct; and,
8. The West Side Precinct;

### **Terminal Precinct**

For passengers, the Terminal Precinct is the Airport's heart. It comprises the main passenger terminal, access and roading, car parking, and commercial and passenger support services including visitor accommodation and conference facilities. It also contains airside airport facilities such as hangars, aircraft parking stands, and aviation support facilities.

### **Airside Precinct**

The Airside Precinct comprises the runway, north-south taxiways and associated aprons. It also includes hangars and aircraft parking stands.

### **East Side Precinct**

The East Side Precinct comprises the southern part of Miramar Golf Course. In the short term, it will continue to be used for golfing purposes, until growth in air traffic necessitates its redevelopment for aircraft purposes.. The redevelopment may occur in stages. Until it is fully developed, the precinct may also be used for the temporary relocation of car parking where it is displaced by construction activity in other parts of the Airport.

### **West Side Precinct**

The West Side Precinct includes the Airport Retail Park on the eastern side of Tirangi Road. It comprises mainly commercial uses and associated parking. It also includes the Airport's flight control tower, future replacement fire station, and some aircraft hangars. Urban design 'edge effects' are an important consideration where the land faces adjacent residential zoned land. The precinct is a valuable resource for the Airport, providing a source of income from ground leases which help to support other aspects of the business. In the long term, the land may potentially be used for Airport operational purposes in accordance with its master plan.

### **Broadway Precinct**

The Broadway Precinct is located at the entrance 'gateway' to the Airport. Although much of the nearby area is zoned for residential use, the Broadway Precinct is a 'transitional' location with a mix of land uses. Together with the Miramar South Precinct, it forms an important 'gateway' to both the Airport and suburbs to the east.

### **South Coast Precinct**

The South Coast Precinct partially fronts the southern coastline and the Moa Point wastewater treatment plant. An important transitional area, this precinct has airside and landside access, making a valuable strategic site for future multi-user freight facility over the longer term. Height limitations



imposed by Designation WIAL1 also make this area an ideal location for storage and car parking activities.

### **Rongotai Ridge Precinct**

The Rongotai Ridge Precinct comprises land located between Wexford Road and Miramar Avenue and is physically separate from other precincts. Development within large portions of this precinct is constrained by Designation WIAL1. Maupuia Pā, a Site of Significance to Māori, is also located within this precinct.

### **Miramar South Precinct**

The Miramar South Precinct forms an important 'gateway' to both the Airport and suburbs to the east. With no airside access, the precinct lends itself to the development of support services to the Airport, including flight catering, rental car operations, airport related vehicle storage, and freight operations.

### **Other relevant District Plan provisions**

Parts of the Airport and its operations are subject to designations of WIAL and other requiring authorities. The main designations include associated conditions that control the nature of development and the extent of WIAL's authority under relevant provisions of the Resource Management Act. WIAL designations are included in Part 3 of the District Plan.

There may be a number of other provisions that apply to an activity, building, structure or site. Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

## **Objectives**

### **AIRPZ-O1 Purpose of the Airport Zone**

Wellington International Airport is recognised and protected as locally, regionally and nationally significant infrastructure.

### **AIRPZ-O2 Development of the Airport Zone**

Development of the Airport is enabled where it provides for a wide range of Airport activities and Airport related activities that are associated with the function and operation of Wellington Airport.

### **AIRPZ-O3 Compatibility of other activities**

Non airport activities are compatible with:

1. The efficient operation, maintenance and upgrading of the Airport and its associated effects;
2. The efficient and integrated functioning of other transportation networks; and,
3. The overall urban form and amenity of adjacent zones.

### **AIRPZ-O4 Management of effects**

The Airport's operational and functional requirements are provided for while ensuring the adverse effects of Airport and Airport related activities on the environment are avoided, remedied or mitigated.

### **AIRPZ-O5 Carbon Neutrality**

Activities are enabled that contribute to carbon neutrality, including:

1. Decarbonisation of the airport and airport operations;

2. Significant growth in integrated low-carbon land transport operations to and from the airport; and
3. Generation, storage and use of renewable or low carbon energy for the airport.

### **AIRPZ-O6 Airport resilience**

The resilience of the Airport and its supporting infrastructure, including other transport links, is maintained or enhanced, while providing for the Airport's operational and functional requirements.

## **Policies**

### **AIRPZ-P1 Airport and Airport Related activities, buildings and structures**

Enable Airport and Airport related activities, buildings and structures, including but not limited to those that:

1. Facilitate the transport of people and cargo by aircraft;
2. Are ancillary activities or services that provide support to the transport or airport activity function;
3. Provide services to passengers, crew, ground staff, airport workers and other associated workers and visitors;
4. Support the economic viability of the Airport; and
5. Support carbon neutral outcomes, including through transport decarbonisation, and renewable or low carbon energy generation, storage and use.

### **AIRPZ-P2 Non airport activities**

Discourage new non-airport related activities that:

1. Compromise the long-term availability of land for airport or airport related activities;
2. Give rise to adverse effects on the safety and efficiency of the adjacent transportation network;
3. Are incompatible with the overall urban form of adjacent zones; or
4. Has a significant adverse effect on the economic viability of Kilbirnie or Miramar Centre Zones.

### **AIRPZ-P3 Airport character**

Maintain or enhance the character of the zone interface and in publicly accessible parts of zone, including through consideration of:

1. The interface of the Airport Zone with adjoining and adjacent land;
2. Any landscape plan, urban design principles or statement, or integrated design management plan, prepared for an Airport precinct;
3. The 'gateway' status of the Broadway, Miramar South and South Coast precincts, with respect to the Airport and adjacent land;
4. The visual and landscape significance of the Rongotai Ridge precinct; and
5. The visual and landscape significance of the Landscape Buffer Area at the eastern margin of the East Side Precinct (refer to Figure 2 of this chapter).

### **AIRPZ-P4 Management of effects**

Manage activity, building and structure effects in the Airport Zone, having regard to:

1. Design, scale and location of buildings and structures;
2. Compatibility with the role and function of the Airport Zone;
3. Whether the activity, building or structure is ancillary to and/or supports airport activities;
4. Safety, security and resilience of the Airport (and supporting infrastructure) as an air and land transport hub;

5. Efficiency and capacity of the Airport and other infrastructure and services; and,
6. Potential conflict with established or permitted activities on adjoining and adjacent land outside the Airport Zone;

### **Rules: Land use activities**

#### AIRPZ-R1 Airport Activities and Airport Related Activities

1. Activity Status: Permitted

Where:

- a. The activity is for an airport activity or airport related activity and complies with any relevant standards of AIRPZ-S3 and AIRPZ-S4.

2. Activity Status: Controlled

Where

- a. The activity is land development and construction in the East Side Precinct.

Matters of control are:

1. Construction effects, including earthworks, noise, hours of operation and traffic.

3. Activity Status: Restricted discretionary

Where

- a. The activity is for an airport activity or airport related activity and any standard in AIRPZ-S3 or AIRPZ-S4 is not met;

Matters of discretion are:

1. The extent and effect of non-compliance with any relevant standard specified in the associated assessment criteria for the infringed standards;
2. Construction effects, including earthworks, noise, hours of operation and traffic; and
3. Relevant matters listed in policies AIRPZ-P1, AIRPZ-P3 and AIRPZ-P4.

4. Activity Status: Discretionary

Where

- a. The activity is not otherwise a permitted, controlled or restricted discretionary activity under AIRPZ-R1.

#### AIRPZ-R2 Non-airport activities

1. Activity Status: Restricted discretionary

Where:

- a. All relevant standards in AIRPZ-S3 to AIRPZ-S4 are met;

Matters of discretion are:

1. Construction effects, including earthworks, noise, hours of operation and traffic;
2. Traffic generation, parking, loading and access; and
3. Relevant matters listed in policies AIRPZ-P2 to AIRPZ-P4.

2. Activity Status: Discretionary

Where

- a. Compliance with the standards in AIRPZ-S3 to AIRPZ-S4 are not met; or,
- b. The activity is not otherwise a restricted discretionary activity under AIRPZ-R3.1.

**Rules: Buildings and Structure activities**

AIRPZ-R3 Buildings and structures

1. Activity Status: Permitted

Where:

- a. All relevant standards in AIRPZ-S1 to AIRPZ-S2 are met; or

2. Activity Status: Controlled

Where:

- a. A building or structure within the East Side Precinct Landscape Buffer Area (Figure 2) to facilitate public access, amenity, safety or the security of the airport; and
- b. Compliance with standard AIRPZ-S1 is otherwise met.

Matters of control are:

1. Relevant matters listed in AIRPZ-P1, AIRPZ-P2, AIRPZ3 and AIRPZ-P4;
2. Design, external appearance and siting; and
3. Landscaping and integration with the surrounding environment.

3. Activity Status: Restricted discretionary

Where:

- a. Non compliance with height control adjoining or adjacent to residential areas or the Open Space (golf course) zone is not exceeded by more than 20%; and
- b. Compliance with standards AIRPZ-S1 or AIRPZ-S2 is otherwise met.

Matters of discretion are:

1. Relevant matters listed in AIRPZ-P1 to AIRPZ-P4;
2. Maximum height;
3. Gross floor area;
4. Height control adjoining residential areas;
5. Height control adjoining the Open Space zone (golf course);
6. Traffic generation, parking, loading and access;
7. In the Rongotai Ridge Precinct, the effects of any building or structure on the form and character of the ridge.

4. Activity Status: Discretionary

Where:

- a. The building or structure is not otherwise a permitted, controlled or restricted discretionary activity under AIRPZ-R3.

Standards		Assessment Criteria
<b>AIRPZ-S1</b>	<b>Maximum height and location of buildings (except Miramar South and Rongotai Ridge precincts)</b>	
<p>1. Buildings and structures must not exceed the following maximum heights above ground level:</p> <ul style="list-style-type: none"> <li>a. 30m in the Terminal precinct;</li> <li>b. 18m outside the Terminal Precinct, except: <ul style="list-style-type: none"> <li>i. 15m for hangars used for Code C (or smaller) aircraft.</li> <li>j. 20m for hangars used for Code E or other wide body aircraft; and</li> </ul> </li> <li>c. 10m in the East Side Precinct;</li> </ul> <p>2. In addition to 1 above, the height and / or location of all buildings and structures shall be further restricted:</p> <ul style="list-style-type: none"> <li>a. No higher than 15m, if within 8m of the Open Space Zone (golf course) boundary;</li> <li>b. No higher than 4m, if within 5m of a residential zone boundary;</li> <li>c. Code E hangars may only be in the West Side Precinct, and no closer than 10m to an external site boundary; and</li> <li>d. In the South Coast precinct, no closer than 10m to the Moa Point Road boundary;</li> </ul> <p>3. Gross floor area of any new building the Terminal Precinct shall not exceed 1,500m<sup>2</sup>.</p> <p>Except that:</p> <p>4. The following items are excluded from the consideration of maximum height:</p> <ul style="list-style-type: none"> <li>a. Lift shafts, plant rooms, stairwells, water tanks, air conditioning units, ventilation ducts, chimneys, lighting poles and similar features on buildings or structures;</li> <li>b. Retaining structures or other engineering structures required to ensure ground stability of network utility infrastructure and navigational aids;</li> <li>c. Navigation and safety aids, monitoring stations, lighting and telecommunications facilities; and</li> <li>d. Fencing or retaining wall structures.</li> </ul>	<p>Assessment criteria where the standard is not met:</p> <ol style="list-style-type: none"> <li>1. Urban design / visual impact, including: <ul style="list-style-type: none"> <li>a. Height and bulk; and</li> <li>b. Visual interest;</li> </ul> </li> <li>2. Minimisation of visual impacts, including by: <ul style="list-style-type: none"> <li>a. Limits to visual massing; and</li> <li>b. Visual permeability (maintenance of view lines);</li> </ul> </li> <li>3. Effects on adjacent residential sites, including: <ul style="list-style-type: none"> <li>a. Length of contiguous or near contiguous development on or near a residential zone boundary; and</li> <li>b. Shading and privacy impacts;</li> </ul> </li> <li>4. Landscape impacts, including: <ul style="list-style-type: none"> <li>a. Screening, planting (including species used), and landscaping; and</li> <li>b. Relationship of landscaping to the gateway function of the Broadway and South coast precincts;</li> </ul> </li> <li>5. The compatibility of structures and activities in the Broadway precinct with the precinct's function as a gateway to the Airport and Miramar / Strathmore; and</li> <li>6. Integration between adjoining precincts (and other areas of the Airport).</li> </ol>	
<b>AIRPZ-S2</b>	<b>Maximum height and location of buildings and structures (Miramar South and Rongotai Ridge precinct)</b>	
<p>1. The height of buildings and structures must not exceed the following heights above ground level:</p>	<p>Assessment criteria where the standard is not met:</p> <ol style="list-style-type: none"> <li>1. Urban design / visual impact, including: <ul style="list-style-type: none"> <li>a. Height and bulk;</li> </ul> </li> </ol>	

Standards		Assessment Criteria
<p>a. A roof height greater than 9 metres from existing ground level if located within the Rongotai Ridge precinct;</p> <p>b. A roof height greater than 11 metres from existing ground level if located within the Miramar South precinct.</p> <p>2. The coverage, location and length of buildings and structures shall not:</p> <p>a. Exceed total site coverage of 35% in the Airport Miramar South precinct;</p> <p>b. Be closer than 5 metres to the Site boundary; and</p> <p>c. Exceed 10 metres of continuous wall length without a step in the wall profile of the wall of at least one metre in depth, or via the use of another architectural device or change in materials or colour.</p> <p>Except that:</p> <p>3. Lift shafts, plant rooms, stairwells, water tanks, air conditioning units, ventilation ducts, chimneys, lighting poles and similar features on buildings or structures are excluded from the consideration of maximum height.</p>		<p>b. Visual interest; and</p> <p>2. Scale and context appropriate to the surrounding area, including:</p> <p>a. Form of rooflines;</p> <p>b. Variation in bulk, form, scale and coverage of buildings; and</p> <p>c. Minimisation of roof lighting visible to residential properties;</p> <p>3. Effects on adjacent residential sites, including:</p> <p>a. Length of contiguous or near contiguous development on or near a residential zone boundary; and</p> <p>b. Shading and privacy impacts;</p> <p>4. Landscape impacts, including screening, planting and landscaping;</p>
<b>AIRPZ-S3</b>	<b>Commercial and retail restrictions</b>	
<p>1. Except where provided for by AIRPZ-S3.3, activities in the Miramar South precinct shall be limited to commercial or retail activity that meets the definition of an airport or airport related activity.</p> <p>2. Ancillary retail in the Miramar South and South Coast precincts is permitted but shall not exceed 10% of the gross floor area of the building.</p>		<p>Assessment criteria where the standard is not met:</p> <p>1. The significance of adverse offsite effects, including but not limited to noise, traffic generation and parking;</p> <p>2. Compatibility with the purpose and functioning of precincts within the Airport Zone;</p> <p>3. Design, scale and location of the activity; and</p> <p>4. Effects on the economic viability of the Kilbirnie or Miramar Centre Zones.</p>
<b>AIRPZ-S4</b>	<b>Access restrictions</b>	
<p>Vehicle access shall not be provided from the Broadway or Rongotai Ridge precincts across the Calabar Road / SH1 frontage.</p>		<p>Assessment criteria where the standard is infringed:</p> <p>1. The significance of adverse offsite effects, including but not limited to traffic safety effects.</p>

Figure 1: Airport Precinct Plan

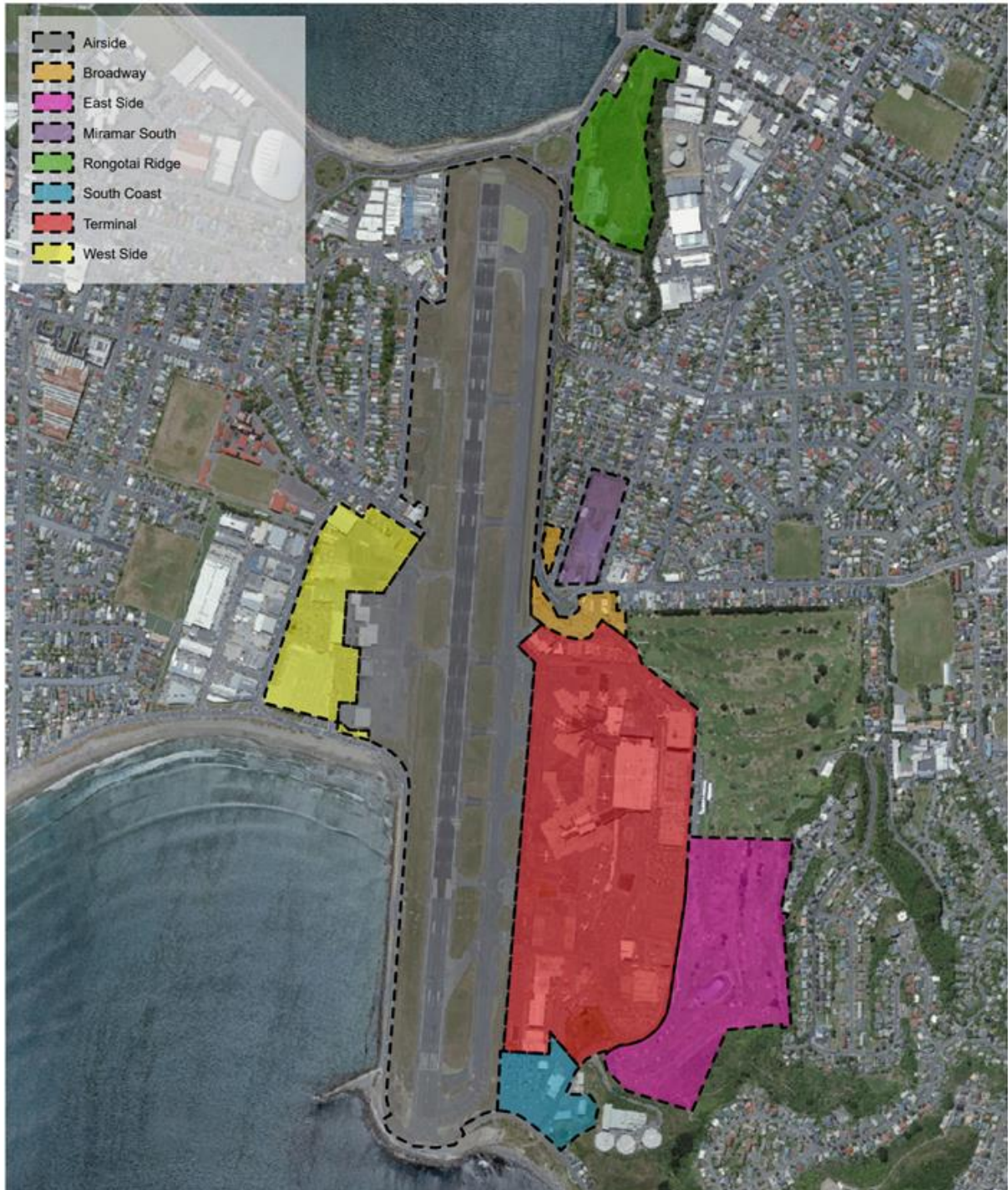


Figure 2 - East Side Precinct, Landscape Buffer Area





FORM 6

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,  
SUBMISSION ON NOTIFIED PROPOSED POLICY STATEMENT  
OR PLAN, CHANGE OR VARIATION**

Clause 8 of Schedule 1, Resource Management Act 1991

To Wellington City Council  
PO Box 2199  
Wellington 6140

**Name Wellington International Airport Limited (“WIAL”)**

1. **These are further submissions in opposition to or in support of submissions on the Proposed Wellington City District Plan (“the Proposed Plan”).**
  
2. **WIAL has an interest in the Proposed Plan that is greater than the interest the general public as within the District.**
  - 2.1 WIAL made a number of original submissions on the Proposed Plan;
  - 2.2 As set out in WIAL’s original submissions on the Proposed Plan:
    - 2.2.1 Wellington Airport is managed by WIAL. WIAL is a network utility operator and a requiring authority under section 166 of the Resource Management Act 1991 (“**the RMA** or “**the Act**”).
    - 2.2.2 WIAL owns and operates the regionally and nationally significant Wellington Airport.
    - 2.2.3 The Airport plays a fundamental role in the social and economic wellbeing of the city, region and the country;
    - 2.2.4 The Airport provides an important national and international transport link for the local, regional and international community and has a major influence on the regional and national economy;
    - 2.2.5 The Airport is also a provider of emergency services and is a lifeline utility under the Civil Defence Emergency Management Act 2002 (“**CDEM 2002**”);
  - 2.3 Given WIAL’s role in managing the Airport and as a submitter on the Proposed Plan, WIAL has an interest greater than the general public and is concerned to ensure the

Proposed Plan appropriately recognises and provides for the Airport to operate in a safe, efficient and effective manner, whilst ensuring that reverse sensitivity effects are avoided.

3. **WIAL therefore makes the following further submissions pursuant to clause 8 of the First Schedule to the RMA. Further submissions from WIAL on the Proposed Plan, including the particular parts of the submission that WIAL supports or opposes, and WIAL's reasons for that support or opposition, are attached to this document in Appendix A.**

4. **WIAL will not gain an advantage in trade competition through these further submissions.**

5. **General Reasons for WIAL's further submissions:**

5.1 In its original submission, WIAL emphasised the importance of ensuring that the Proposed Plan adequately addresses the following matters (refer to the primary submission for the full suite of considerations):

5.1.1 That regionally significant infrastructure, such as Wellington International Airport, is appropriately recognised and provided for in the Proposed Plan. That includes through ensuring an appropriate consenting pathway is provided for the activities undertaken by WIAL that occur both within and outside of the Airport Zone;

5.1.2 That the duplication throughout the Proposed Plan is removed and the provisions streamlined and focussed to address the management of environmental effects. As currently drafted, the Proposed Plan provides a complex layering of consent requirements that often renders the enabling provisions nugatory with very little environmental benefit gained;

5.1.3 That the Coastal Environment provisions are significantly streamlined to address those matters that have not otherwise been managed within the underlying zone provisions. Furthermore, the provisions should reflect the urban, highly modified context of the landward extent of the coastal environment;

5.1.4 That the Airport Zone does not duplicate management controls imposed on WIAL through designations WIAL2, WIAL4 and WIAL5. Where the Airport Zone is intended to apply to third parties (that cannot rely on the designation), the nature and scale of activities enabled by the Airport Zone is reflective of the controls imposed by the aforementioned designations;

5.1.5 That the Proposed Plan adequately manages reverse sensitivity effects within the Airport's Air Noise Boundary and 60dB Ldn Noise Boundary, including through additional resource consent, development and consultation requirements; and,

5.1.6 That the management of natural hazards is further refined to focus on coastal inundation hazards and that tsunami hazard provisions apply to greenfield development only.

5.2 WIAL seeks to ensure that the key principles identified in its original submission and summarised above are appropriately recognised and provided for in the Proposed Plan.

5.3 WIAL's specific further submissions are attached as **Appendix A**.

6. **WIAL does wish to be heard in support of these further submissions. If others make a similar submission, WIAL will consider presenting a joint case with them at a hearing.**

7. **WIAL seeks that the submissions be allowed or disallowed as set out in Appendix A.**

Signature:



Date: 1 December 2022

Electronic address for Service: [kirsty.osullivan@mitchelldaysh.co.nz](mailto:kirsty.osullivan@mitchelldaysh.co.nz)

Telephone: 021 242 5453

Postal address (or alternative method of service under section 352 of the Act):

Mitchell Daysh Limited

PO Box 489

Dunedin 9054

Contact person: Kirsty O'Sullivan

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
<b>Introduction</b>						
CentrePort Limited	402.3	Introduction Subpart / Introduction / Description of the District	Amend Description of the District as follows: <u>...Wellington provides the northern link for State Highway 1 and the main trunk railway between the North Island and the South Island. Wellington Harbour (Te Whanganui-a-Tara) is an important New Zealand port, for a range of exports and imports. Wellington Airport is the third biggest passenger airport in New Zealand.</u>	Support	WIAL supports recognition within the Description of the District of the significant freight and travel routes to and from the District, including reference to Wellington International Airport.	Allow
<b>How the Plan Works</b>						
Transpower New Zealand Limited	315.11-3.12	How the Plan Works Subpart / How the Plan Works / How the Plan Works General	Supports the provided clarification in the IPI and PDP as to the legal effect of specific provisions. An amendment is sought to highlight to plan users the existence of qualifying matters and that if a development is located in an area where a qualifying matter applies, the MDRS does not have immediate legal effect. While submitter is aware the provision relating to legal effect and qualifying matters will technically not be required once the plan is made operative, considers that in the interim period it has concerns as to the lack of reference to qualifying matters and therefore supports any clarification that can be provided	Support	It is appropriate to provide clarification around the interim legal effect of specific provisions of the plan, particularly where qualifying matters apply.	Allow
<b>Interpretation Sub Part</b>						
Yvonne Weeber	340.3	Interpretation Subpart / Definitions / Definitions - General	All definitions relevant to the Airport Zone, Airport Noise and Airport Designation needs to remain the same as the operative plan to ensure the integrity of the agreed designation conditions on the Airports Main Site Area and East Side Area to allow these provisions to function properly. Reinstate the Operative Plan's definitions relevant to the Airport Zone, Airport Noise and Airport Designation.	Support in part / Oppose in part	The Operative Plan does not define many of the terms used within the Airport Zone. WIAL has filed submission with respect to the Proposed Plan that seeks to ensure the definition of terms such as "Airport Activity" and "Air Noise Boundary" reflect what is anticipated by the Main Site Area and East Side Area designations.	Disallow
Guardians of the Bays	452.2					
New Zealand Agricultural Aviation Association	40.2		A new definition should be added for 'Agricultural Aviation Activity' so that it can be used in relevant rules and definitions to clearly describe the use of rural airstrips and landing areas by aircraft for rural production, biosecurity and biodiversity (conservation) activities.	Support in part / Oppose in part	WIAL remains neutral with respect to this proposed definition, however notes that such activities will fall within the management of the control tower at Wellington International Airport where they occur within the flight paths / operational areas of aircraft approaching / departing Wellington International Airport.	Allow in part
Heritage New Zealand Pouhere Taonga	70.3-4	New Definition - Overlay	Considers that the word 'overlay' is used in a number of parts of the PDP, including Infrastructure and Subdivision. A	Oppose in part	WIAL supports the inclusion of a definition in principle as this will provide greater certainty for plan users. WIAL submits however, that the proposed definition	Disallow in part

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
			<p>definition would improve the meaning of these clauses for the convenience of plan users.</p> <p>Add new definition for 'Overlay' as follows:</p> <p><u>means the spatially identified sites, items, features, or areas with distinctive values, risks or other factors within the City which require management in a different manner from underlying zone provisions, as set out in Schedules 1-8 and 10-12</u></p>		only refers to schedules, despite the term “overlay” being used in other contexts within the Proposed Plan (such as “Air Noise Overlay”).	
Transpower New Zealand	315.14-15	Interpretation Subpart / Definitions / New definition	<p>Add a new definition for Qualifying Matter as follows:</p> <p><u>Qualifying matter means a matter referred to in section 77I or 77O of the RMA.</u></p> <p>Add a new definition for Qualifying Matter Area as follows:</p> <p><u>Qualifying matter area means a qualifying matter listed below: (a) The National Grid Yard / Transmission Line Buffer (32 metres) (b) The National Grid Subdivision Corridor/ Transmission Line Buffer (32 metres) (c) .....</u></p>	Support in part	<p>WIAL supports in principle the inclusion of a definition for “qualifying matter” and “qualifying matter area” in the Proposed Plan.</p> <p>WIAL submits that this definition should be complete and further “qualifying matter areas” added. For example, the Wellington Airport Air Noise Boundary and Obstacle Limitation Surface should be included in the definition.</p>	Allow in part
Greater Wellington Regional Council	351.36	Interpretation Subpart / Definitions / New definition	<p>Add a new definition for 'Hard Engineering Natural Hazards Mitigation Works' to align with operative RPS and regional plan as follows:</p> <p><u>Engineering works that use structural materials such as concrete, steel, timber or rock armour to provide a hard, inflexible edge between the land-water interface along rivers, shorelines or lake edges. Typical structures include groynes, seawalls, revetments or bulkheads that are designed to prevent erosion of the land</u></p>	Support	<p>WIAL supports the inclusion of this definition, as derived from the Greater Wellington Regional Policy Statement and Regional Plan.</p> <p>WIAL would be comfortable for any relief that seeks to address the concerns raised in its primary submission with respect to the seawall located between Lyall Bay and Moa Point to adopt this language.</p>	Allow
BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	372.6	Interpretation Subpart / Definitions / New definition	Add a new definition for Hazardous Facilities.	Support	WIAL supports the inclusion of this definition as it will assist with the application and implementation of provisions contained with the Ngā Matū Mōrearea Hazardous Substances section of the Proposed Plan.	Allow
WCC Environmental Reference Group	377.8	Interpretation Subpart / Definitions / New definition	Seeks that a single term, such as "net zero emissions" or "zero carbon" be defined.	Support in part / Oppose in part	WIAL supports, in principle, the inclusion of a definition to this effect, however opposes to the extent that further clarity around the drafting and implementation effects of such a term should be included .	Allow in part / Disallow in part
Kāinga Ora Homes and Communities	391.31	Interpretation Subpart / Definitions / New definition	Considers that references to "Natural Hazard Overlays" should be removed and replaced by a newly defined term 'Natural Hazard Areas'. Natural Hazard Overlays should instead be included as non-statutory, information-only mapping layer that sits outside the Proposed District Plan.	Support	WIAL supports the use of natural hazard overlays as a non-statutory mapping tool, particularly with respect to the coastal hazard overlays that apply within the already built up area around Wellington International Airport.	Allow
CentrePort Limited	402.5-6	Interpretation Subpart / Definitions / COASTAL HAZARD OVERLAY	Retain the definition of 'Coastal Hazard Overlays' as notified.	Oppose	WIAL opposes this submission to the extent that it conflicts with WIAL's primary submission which seeks to	Disallow

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
					remove the application of the tsunami coastal hazard overlays.	
Transpower New Zealand Limited	315.19	Interpretation Subpart / Definitions / COASTAL MARGIN	Seeks to amend the definition of 'Coastal Margin' to clearly define the CMA line, and clearly identify on the planning maps.	Support	WIAL supports the provision of a definition as it assists plan users and provides clarity on the application of the plan provisions that relate to the definition. WIAL submits that given the policy implications of defining the coastal margin, clarity is required as to where the line applies to enable efficient and effective plan implementation.	Allow
Ministry of Education	400.1	Interpretation Subpart / Definitions / EDUCATION FACILITY	Delete the definition of Education Facility in its entirety.	Support	WIAL supports the deletion of this definition as the activity is inherently captured by the definition of "educational facility" (and associated definitions such as "noise sensitive activity").	Allow
Kainga Ora Homes and Communities	391.36-37	Interpretation Subpart / Definitions / NATURAL HAZARD OVERLAYS	<p>The inclusion of flood hazard mapping as part of the District Plan is opposed, despite the overall support for the risk-based approach to the management of natural hazards.</p> <p>Amend the definition of 'Natural Hazard Overlays' as follows:</p> <p>NATURAL HAZARD OVERLAYS AREA means the combined mapped extent within the District Plan of the following natural hazards:</p> <ol style="list-style-type: none"> <li>Flood Hazards</li> <li>Liquefaction Hazards</li> <li>Fault Hazards</li> </ol> <p>And the Council's publicly available information showing the modelled extent of flooding affecting specific properties in its GIS viewer. The maps are non-statutory and can be reviewed to take account of any property-specific information.</p>	Oppose in part	WIAL supports the further refinement of the natural hazard overlay and mapping in the Proposed Plan. WIAL however opposes the submission to the extent that this definition only deals with a selection of hazards, not coastal hazards such as tsunami risk. This creates ambiguity in the subsequent application of the natural hazard provisions of the Proposed Plan.	Disallow in part.
<b>Strategic Direction</b>						
Kāinga Ora Homes and Communities	391.48-49	Strategic Direction / Capital City / CC-O2	<p>Amend Objective CC-O2 (Wellington City is a well-functioning...) as follows:</p> <p>Wellington City is a well-functioning Capital City where:...</p> <p>4. Urban intensification is delivered in appropriate locations and in a manner that meets the needs of current and future generations.</p>	Oppose	WIAL considers that it is appropriate for the objective to qualify that intensification will only occur within "appropriate locations". What is "appropriate" or "inappropriate" is subsequently defined by objectives, policies and overlays identified in the Proposed Plan (such as the Air Noise Boundary).	Disallow
Kāinga Ora Homes and Communities	391.52-53	Strategic Direction / City Economy Knowledge and Prosperity / CKEP-O2	<p>Amend Objective CEKP-O2 (The City maintains a hierarchy of centres...) as follows:</p> <p>The City maintains a hierarchy of centres based on their role and function, as follows:...</p>	Oppose in part	WIAL opposes this submission to the extent that it is not clear where the "town centres" are located and the extent to which these may / may not be located within	Disallow in part

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
			<p>3. <u>Town Centres – these centres service the surrounding suburbs. Town centres contain a range of commercial, community, recreational and entertainment activities. Town Centres are well-connected to the City’s public transport network and active transport modes are also provided for. Town Centres will play a role in accommodating and servicing the needs of the existing and forecast population growth that is complementary to the City Centre and Metropolitan Centre Zones. This intensification is due to the capacity of the area to absorb more high-density housing with enablers of growth such as offering a walkable access to public transport, community facilities and services; and</u></p> <p>4. <u>Local Centres c– these centres service the surrounding residential catchment and neighbouring suburbs. Local Centres contain a range of commercial, community, recreational and entertainment activities. Local Centres are well-connected to the City’s public transport network and active transport modes are also provided for. Local Centres will play a role in accommodating and servicing the needs of the existing and forecast population growth that is complementary to the City Centre, and Metropolitan Centre, and Town Centre Zones. This intensification is due to the capacity of the area to absorb more medium density housing with enablers of growth such as walkable access to public transport, and community facilities and services and;</u></p> <p>5. <u>Neighbourhood Centres - .</u></p>		the Air Noise Boundary of 60dB Ldn Noise Boundary for Wellington International Airport.	
Royal Forest and Bird Protection Society	345.20	Strategic Direction / Natural Environment / General NE	Amend the NE chapter to address issues identified in the Introduction and clarify strategic direction to protect and maintain biodiversity values in alignment with S6 and S31 of Greater Wellington Regional Policy Statement.	Oppose	In principle, WIAL considers it appropriate to ensure the provisions of the Proposed Plan give effect to Part 2 of the RMA and the Greater Wellington Regional Policy Statement. WIAL opposes the submission however, as no specific drafting has been provided in association with this submission point and therefore WIAL cannot determine the appropriateness or otherwise of the amendments in terms of section 32 of the RMA.	Disallow
	345.22	Strategic Direction / Natural Environment / NE-O1	Amend NE-O1 as follows: The natural character, landscapes and features, <u>indigenous biodiversity and ecosystems, including wetlands, that contribute to the City’s identity of the District, including those that and have significance for mana whenua as kaitiaki are identified, recognised, protected, and, where possible, enhanced.</u>	Oppose	The recommended amendments to the objective conflate section 6 and 7 matters of the RMA.	Disallow
	345.24	Strategic Direction / Natural Environment / NE-O3	Amend NE-O3 as follows:	Oppose	The recommended amendments to the objective are inconsistent with and go further than section 6 and 7 of the RMA.	Disallow

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
			<p>The City retains an extensive open space network across the City that:</p> <ol style="list-style-type: none"> <li>1. Is easily accessible;</li> <li>2. Connects the urban and natural environment;</li> <li>3. <del>Supports</del> <u>Protects significant natural areas, wetlands and ecological, cultural, and landscape values; and</u></li> <li>4. <u>Maintains indigenous biodiversity; and</u></li> <li>5. Meets the needs of anticipated future growth.</li> </ol>			
Wellington Civic Trust	388.10	Strategic Direction / Natural Environment / NE-O3	<p>Amend Natural Environment Objective NE-O3 as follows:</p> <p>The City <del>retains</del> <u>expands its open space network so that an extensive open space network is <u>provided and retained</u> that:</u></p>	Oppose	WIAL does not have any issue with the open space network being retained and/or expanded throughout the wider District. WIAL opposes this submission to the extent that it may fetter with the ability for WIAL to completed ongoing seawall upgrade and replacement works within the Open Space area located between Moa Point and Lyall Bay.	Disallow in part
Transpower New Zealand Limited	315.40	Strategic Direction / General point on Strategic Directions / General point on Strategic Directions	<p>Retain the section but reference to plan implementation be removed as follows:</p> <p>For the purpose of plan implementation (<del>including the assessment of resource consents and notices of requirement</del>):</p> <ul style="list-style-type: none"> <li>- The Strategic Objectives may provide guidance on what the objectives and policies in other chapters of the Plan are seeking to achieve.</li> <li>- The relevant objectives and policies of the plan (including Strategic Objectives) are to be considered together, and no fixed hierarchy exists between them.</li> </ul> <p><del>In addition to the specific objectives and policies contained in topic chapters of the Plan relevant Strategic Objectives in this chapter will also need to be assessed for any activity identified as Discretionary or Non-Complying.</del></p>	Support	WIAL supports the clarification provided by this submitters refinements to the Strategic Direction chapter and will ensure it is clear that no hierarchy exists between the Strategic Objectives and the other chapters of the Proposed Plan.	Allow
Royal Forest and Bird Protection Society	345.26	Strategic Direction / Strategic City Assets and Infrastructure / General SCA	<p>Considers the introduction and objectives are not consistent with sustainable management as per s5 of the RMA. They fail to integrate environmental outcomes and the protection of biodiversity into the objectives for the City/Wellington district.</p> <p>Amend the Introduction to be consistent with sustainable management as set out in Section 5 of the Resource Management Act.</p>	Oppose	In principle, WIAL considers it appropriate to ensure the Proposed Plan gives effect to Part 2 of the RMA. WIAL opposes the submission however, as no specific drafting has been provided in association with this submission point and therefore WIAL cannot determine the appropriateness or otherwise of the amendments in terms of section 32 of the RMA.	Disallow



Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
Meridian Energy Limited	228.17	Strategic Direction / Strategic City Assets and Infrastructure / SCA-O1	<p>Amend Objective SCA-O1 (Infrastructure) as follows or similar wording to achieve the same outcome:</p> <p>Infrastructure is established, operated, maintained, and upgraded in Wellington City so that:</p> <ol style="list-style-type: none"> <li>1. The social, economic, cultural, and environmental benefits of this infrastructure are recognised;</li> <li>2. The City is able to function safely, efficiently and effectively;</li> <li>3. The infrastructure network is resilient in the long term;</li> <li>4. <u>Infrastructure, including renewable electricity generation facilities, contribute to the transition away from dependence on fossil fuels; and</u></li> <li>5. Future growth and development is enabled and can be sufficiently serviced</li> </ol>	Oppose in part	WIAL supports, in principle, the transition away from dependence on fossil fuels and seeks to encourage such changes at the Airport where practicable, including through the gradual electrification of infrastructure at the Airport. WIAL submits however, that there a number of factors outside of its control that will affect the transition towards alternative fuel sources for aircraft using the Airport. WIAL therefore opposes this submission to the extent that the changes need to be qualified, for example, with the term “practicable”.	Disallow
Royal Forest and Bird Protection Society	345.27	Strategic Direction / Strategic City Assets and Infrastructure / SCA-O1	<p>Considers it is not clear whether this objective should be regarding RSI or not as it appears to reflect policy 7 of the RPS which is for RSI, not infrastructure generally.</p> <p>Infrastructure can have significant adverse effects on the environment from construction to operation, maintenance and upgrades. s6 matters still apply and this objective needs to ensure infrastructure doesn’t impact the protection of biodiversity.</p> <p>Amend SCA-O1 as follows:</p> <p>Infrastructure is established, operated, maintained, and upgraded in Wellington City so that:</p> <ol style="list-style-type: none"> <li>1. <del>The social, economic, cultural, and environmental benefits of this infrastructure are recognised;</del></li> <li>2. The City is able to function safely, efficiently and effectively;</li> <li>3. The infrastructure network is resilient in the long term; <del>and</del></li> <li>4. Future growth and development is enabled and can be sufficiently serviced; <u>and</u></li> <li>5. <u>Indigenous biodiversity is retained, protected and enhanced.</u></li> </ol>	Oppose	<p>WIAL opposes this submits as it conflicts with WIAL’s primary submission that seeks for these objectives to be retained as notified.</p> <p>WIAL also submits that the changes proposed seek to “cherry pick” section 6 and 7 matters. Section 6 and 7 matters are addressed by other provisions within the Strategic Direction of the Proposed Plan. Changes recommended to the Strategic Directions (Transpower 315.40) will clarify that these provisions which give effect to section 6 and 7 of the RMA will apply, ensuring that infrastructure providers have to look to the broader strategic direction provisions, not just those contained in the Strategic City Assets and Infrastructure section.</p>	Disallow
Waka Kotahi	370.56	Strategic Direction / Strategic City Assets and Infrastructure / SCA-O1	<p>Amend Strategic Objective SCA-O1 (Infrastructure is established, operated, maintained...) as follows:</p> <p>Infrastructure is established, operated, maintained, and upgraded in Wellington City so that:</p> <ol style="list-style-type: none"> <li>1. The social, economic, cultural, and environmental benefits of this infrastructure are recognised;</li> </ol>	Oppose in part	While WIAL has been actively encouraging the transition to lower carbon alternatives where practicable (such as the electrification of GPUs and APUs and investigating the use of renewable energy sources) at the Airport, there a number of factors outside of its control that will affect the transition	Disallow

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			<p>2. The City is able to function safely, efficiently and effectively;</p> <p>3. The infrastructure network is resilient in the long term; and</p> <p>4. Future growth and development is enabled and can be sufficiently serviced.</p> <p>5. <u>Infrastructure shall be delivered in a way which provides for carbon reduction targets.</u></p>		<p>towards alternative fuel sources for aircraft using the Airport.</p> <p>WIAL therefore opposes this submission to the extent that it requires infrastructure to be delivered in a way that “provides” for carbon reduction targets. Alternative drafting or qualification of this statement (for example, using the term “where practicable”) would better reflect this scenario.</p>	
WCC Environmental Reference Group	377.22	Strategic Direction / Strategic City Assets and Infrastructure / SCA-O1	<p>Amend SCA-O1 (infrastructure is established, operated...) as follows:</p> <p>Infrastructure is established, operated, maintained, and upgraded in Wellington City so that:</p> <p>1. <del>It provides</del> The social, economic, cultural, and environmental benefits of this infrastructure are recognised;</p> <p>...</p> <p>5. <u>The environment is protected or enhanced.</u></p>	Oppose	<p>WIAL submits that the amendments conflate and oversimplify the directions set out in sections 6 and 7 of the RMA. Furthermore, the environment includes “natural and physical resources”, therefore the amendments do not provide any further assistance in terms of clarifying which resources are to be “protected” or “enhanced”.</p> <p>WIAL submits that other provisions within the Strategic Directions address the issues raised by the submitter.</p>	Disallow
CentrePort Limited	402.34	Strategic Direction / Strategic City Assets and Infrastructure / SCA-O1	<p>Amend SCA-O1 (Infrastructure is established, operated, maintained, and upgraded in Wellington City so that...) as follows:</p> <p>...</p> <p>3. The infrastructure network is resilient in the long term <u>and can effectively recover from short term Natural Hazard events;</u> and</p>	Support	As a lifeline utility operator with Civil Defence responsibilities, WIAL supports the amendments proposed to subparagraph 3.	Allow
Yvonne Weeber	340.10	Strategic Direction / Strategic City Assets and Infrastructure / SCA-O4	Amend Objective SCA-O4 so that it clarifies that it applies to all new infrastructure and recognises the limits of existing infrastructure’s location.	Oppose	WIAL submits that the “limits” sought by this submitter are defined by Objective SCA-O5.	Disallow
Guardians of the Bays	452.9					
Royal Forest and Bird Protection Society	345.31	Strategic Direction / Strategic City Assets and Infrastructure / SCA-O5	<p>Considers it is not clear whether this objective should be regarding RSI or not as it appears to reflect policy 7 of the RPS which is for RSI, not infrastructure generally. The RPS acknowledges that regionally significant infrastructure can also have adverse effects on the surrounding environment and community.</p> <p>Amend SCA-O5:</p> <p>The adverse effects of infrastructure are <del>managed-avoided</del> <u>while</u> having regard to the economic, social, environmental <del>and cultural benefits,</del> and the technical and operational needs of infrastructure</p>	Oppose	<p>It is inappropriate for the all adverse effects, regardless of the nature or scale of those effects, to be avoided, nor has such a management threshold been applied to other activities in the District.</p> <p>Furthermore, the submitters concerns appear to relate to the application of this objective to infrastructure more generally (i.e. not just to RSI).</p>	Disallow

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Transpower New Zealand Limited	315.45	Strategic Direction / Strategic City Assets and Infrastructure / SCA-O6	Amend Strategic Direction SCA-O6 as follows: Infrastructure operates efficiently and safely and is protected from incompatible development and activities, <u>including those</u> that may create reverse sensitivity effects or <u>compromise the Infrastructure</u> .	Support	The proposed amendments provide further clarification around the interpretation and application of the objective.	Allow
Royal Forest and Bird Protection Society	345.32	Strategic Direction / Strategic City Assets and Infrastructure / SCA-O6	This policy appears to give effect to policy 8 of the RPS but again, that is for RSI not infrastructure more generally. We do not support blanket protection of infrastructure from incompatible development. It is for infrastructure to not impact on the environment, not the other way around.  Delete SCA-O6.	Oppose	Reverse sensitivity is a significant concern for a number of infrastructure operators. The concept of reverse sensitivity relates to other activities establishing within proximity to existing and lawfully established (infrastructure) activities, and then complaining about the effects of this activity.	Disallow
Greater Wellington Regional Council	351.63-64	Strategic Direction / Sustainability Resilience and Climate Change / SRCC-O1	Seeks that the carbon reduction objective should match that made by WCC in October 2021 to reduce city emissions by 57% by 2030 compared to 2020 levels, and to net zero by 2050.	Oppose	WIAL has filed as submission with respect to PC1 of the Proposed RPS and the target to achieve net zero carbon emissions by 2050. It would be premature to impose such requirements on the Proposed Plan, when those provisions have yet to go through the hearings and decision making process.	Disallow
WCC Environmental Group	377.24	Strategic Direction / Sustainability Resilience and Climate Change / SRCC-O1	Amend Objective SRCC-O1 as follows:  The City's built environment supports:  1. A <del>net</del> reduction in the City's carbon emissions to <u>net zero</u> by 2050;  2. <del>More</del> <u>A requirement for all buildings</u> to be energy efficient buildings;  3. An increase in the use of renewable energy sources <del>up to 100%</del> by 2030; and  4. Healthy functioning of <u>the full range</u> of native ecosystems and natural processes.	Oppose		Disallow
Yvonne Weeber	340.16-17	Strategic Direction / Sustainability Resilience and Climate Change / SRCC-O3	Objective SRCC-O3 should be amended to add infrastructure into the list of the starting sequence.	Oppose	Infrastructure falls within the scope of "activities" identified through the use of the phrase "subdivision, use and development". Separately identifying activities that fall within this term (and excluding others) leads to potential interpretation issues.	Disallow
Guardians of the Bays	452.15-16					Disallow
Greater Wellington Regional Council	351.70	Strategic Direction / Urban Form and Development / New UFD	Add a new Objective to the 'Urban Form and Development' chapter that directs the prioritisation of development in locations where there are effective public transport links.	Oppose	While WIAL considers it is appropriate to concentrate development along transportation routes, such decision making also needs to take into consideration the presence and proximity of regionally significant infrastructure and potential reverse sensitivity effects.	Disallow
Transpower New Zealand Limited	315.47	Strategic Direction / Urban Form and Development / UFD-O3	Amend UFD-O3 as follows:  Medium to high density and assisted housing developments are located in areas that are:  1. Connected to the transport network and served by multi-modal transport options; or	Support	WIAL considers that it is appropriate for the objective to qualify that intensification may not be appropriate in all locations. The subsequent objectives, policies and overlays identified in the Proposed Plan (such as the Air Noise Boundary) will define where such activities are and are not appropriate.	Allow

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
			<p>2. Within or near a Centre Zone or other area with many employment opportunities; and</p> <p>3. Served by public open space and other social infrastructure;</p> <p><u>Noting that medium to high density housing developments may not be appropriate in qualifying matter areas.</u></p>			
Royal Forest and Bird Protection Society	345.38-39	Energy Infrastructure and Transport / Infrastructure / General INF	<p>Clarify the scope of the Infrastructure chapter. Amend the direction of the Infrastructure chapter to be as protective of biodiversity, natural character, and natural landscapes as possible, while still meeting the requirements of national direction</p> <p>Amend the objectives of INF - Infrastructure to clarify that the objectives of relevant chapters, including Ecosystems and Indigenous Biodiversity, Natural Character, Natural Features and Landscapes, and Coastal Environment apply to all Infrastructure provisions</p> <p>Or</p> <p>Add a comprehensive set of objectives to be included into the Infrastructure chapter to provide for these matters, mirroring the objectives of the aforementioned chapters.</p>	Oppose	<p>WIAL opposes the relief sought by the submitter, for reasons including (but not limited to):</p> <ol style="list-style-type: none"> <li>1. It is appropriate for a different planning framework to apply for regionally significant infrastructure in recognition of the social, cultural and economic benefits it provides for the community and the operational and locational constraints of that infrastructure.</li> <li>2. It is inappropriate to protect the aspects identified to the extent "possible". Almost anything is "possible", therefore using such language could result in the complete curtailment of regionally significant infrastructure, on the grounds it is "possible" to protect the aspects identified.</li> </ol>	Disallow
Kainga Ora Homes and Communities	391.103-104	Energy Infrastructure and Transport / Infrastructure / General INF	<p>Amend all Rules in the Infrastructure chapter to include a notification preclusion statement for activities under Restricted Discretionary as follows:</p> <p><u>Notification:</u></p> <p><u>Applications under this rule are precluded from being publicly or limited notified in accordance with section 95A or section 95B of the RMA</u></p>	Support	<p>WIAL supports the proposed notification clause for restricted discretionary activities. Special circumstances will still apply, notwithstanding this statement.</p>	Allow
Airways Corporation of New Zealand Limited	100.3	Energy Infrastructure and Transport Infrastructure / General INF	<p>Seeks that the planning maps are updated to show a new 'Air Traffic Control Information Overlay' for ACNZ3 and ACNZ4 which would require plan users to consult with Airways before undertaking an activity within the overlay.</p> <p>If the new 'Air Traffic Control Information Overlay' for ACNZ3 and ACNZ4 does not require plan users to consult with Airways, alternatively:</p> <p>Seeks that the planning maps are updated to allow for a new 'Air Traffic Control Overlay' with associated changes to the plan provisions to include specific restrictions and/or consultation requirements for development and infrastructure within the overlay.</p>	Support	<p>WIAL supports the inclusion of overlays that ensure that Airways air traffic control overlays are protected, thus ensuring the ongoing safety of aircraft on approach to and departure from Wellington International Airport.</p>	Allow
CentrePort Limited	402.42-43	Energy Infrastructure and Transport Infrastructure / General INF	<p>Seeks that plan is amended so all Natural Hazards requirements are included in one chapter.</p>	Support	<p>WIAL shares the concerns of CentrePort Limited, that there is a lot of duplication in the Proposed Plan,</p>	Allow

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
					particularly as it relates to the natural hazard provisions that apply to (regionally significant) infrastructure.	
Greater Wellington Regional Council	351.88-90	Energy Infrastructure and Transport Infrastructure / General INF	<p>Seeks to Add a new policy and rule to enable the development of infrastructure required to support zero and low carbon transport and public transport.</p> <p>Seeks to include a new policy that encourages an assessment of whole of life carbon emissions for any new or altered transport infrastructure and how new or altered transport infrastructure would assist in meeting reduction targets.</p>	Oppose	WIAL has filed a submission with respect to PC1 of the Proposed RPS and the target to achieve net zero carbon emissions by 2050. It would be premature to impose such requirements on the Proposed Plan, when those provisions have yet to go through the hearings and decision making process.	Disallow
Royal Forest and Bird Protection Society	345.40	Energy Infrastructure and Transport / Infrastructure / INF5	<p>Amend INF-P5 (Adverse effects of infrastructure) to :</p> <ul style="list-style-type: none"> <li>- also apply to operation, maintenance, repair, and removal of infrastructure; and</li> <li>- include direction that effects are not only to be managed, but that in certain areas needs to be protected; and</li> <li>- remove reference to "identified" values</li> </ul>	Oppose	<p>WIAL submits that first two bullet points are addressed by provisions located elsewhere within the Infrastructure subchapters. It is therefore inappropriate to duplicate / replicate them here.</p> <p>With respect to values, it is appropriate to focus the management response on the values, as the purpose of the overlay is to identify the specific values of an area / feature. Without this reference, erroneous management of effects may be required – for example, the air noise overlay could trigger consideration of effects management for unrelated matters.</p>	Disallow
CentrePort Limited	402.56	Energy Infrastructure and Transport / Infrastructure / INF-P7	Considers that there is no specific recognition in the policy of discouraging new noise sensitive activities from establishing within the Port Noise Boundary. The same could be applied to the Air Noise Boundary	Support	WIAL supports this submission and agrees that a new policy is required to address the potential reverse sensitivity effects arising on both the port and the airport.	Allow
Royal Forest and Bird Protection Society	345.43-44	Energy Infrastructure and Transport / Infrastructure Coastal Environment / General INF-CE	Amend the INF-CE chapter to be as protective as the Coastal Environment chapter and align with direction set out in Policy 13 of the NZ Coastal Policy Statement.	Oppose	WIAL submits that there are numerous provisions within the NZCPS that need to be considered and balanced within the Proposed Plan, not just Policy 13. Furthermore, the Coastal Environment has been broadly defined in the Proposed Plan, meaning that broadly drafted provisions could have perverse outcomes for existing, built up, urban areas of the District.	Disallow
Royal Forest and Bird Protection Society	345.46	Energy Infrastructure and Transport / Infrastructure Coastal Environment / General INF-CE-P15	Considers the policy needs to be extended to apply to any area of natural character in the coastal environment.	Oppose	WIAL submits that there are numerous provisions within the NZCPS that need to be considered and balanced within the Proposed Plan. Furthermore, the Coastal Environment has been broadly defined in the Proposed Plan, meaning that broadly drafted provisions could have perverse outcomes for existing, built up, urban areas of the District.	Disallow
Yvonne Weeber Guardians of the Bays	340.18 452.17	Energy Infrastructure and Transport / Infrastructure	Amend INF-CE-P16 (Operation, maintenance and repair of existing infrastructure within the coastal environment in the	Oppose in part	The proposed amendments seek to replicate provisions of the NZCPS. This does not assist plan users as it	Disallow in part

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
		Coastal Environment / General INF-CE-P15	<p>Residential Zones, Commercial and Mixed Use Zones, Industrial Zones, Airport and Port Zones) as follows:</p> <p>- Within coastal and riparian margins.</p> <p>Allow for the operation, maintenance and repair of existing infrastructure within areas of coastal margins and riparian margins in the coastal environment in the Residential Zones, Commercial and Mixed Use Zones, Industrial Zones, Airport and Port Zones. <u>where:</u></p> <ol style="list-style-type: none"> <li>1. <u>Related earthworks are of a scale that consider the maintenance and restoration the natural character; and</u></li> <li>2. <u>Any significant adverse effects on the natural character are avoided and any other adverse effects on the natural character are avoided, remedied or mitigated.</u></li> <li>3. <u>Any significant adverse effects on the natural character are avoided and any adverse effects on the natural character are avoided, remedied or mitigated</u></li> </ol>		<p>provides no further direction than that set out in higher order documents.</p> <p>Furthermore, it is inappropriate to apply the NZCPS to riparian (river) margins.</p>	
Royal Forest and Bird Society	345.47	Energy Infrastructure and Transport / Infrastructure Coastal Environment / General INF-CE-P16	Amend INF-CE-P16 (Operation, maintenance and repair of existing infrastructure within the coastal environment in the Residential Zones, Commercial and Mixed Use Zones, Industrial Zones, Airport and Port Zones) to require protection of natural character regardless of zoning.	Oppose	WIAL opposes the submission as the amendments over simplify the management approach set out in the NZCPS nor do they consider the broadly defined area of the District that is included within the Coastal Environment. Furthermore, no specific drafting has been provided, thus it is difficult to evaluate the appropriateness of such changes in terms of section 32 of the RMA.	Disallow
Avryl Bramley	202.23-24, 25	Energy Infrastructure and Transport / Infrastructure Coastal Environment / INF-CE-P30-31	Amend INF-CE-R30 and R31, R29 so that it is not a permitted activity and that notification is mandatory.	Oppose	It is inappropriate to require resource consent and notification for all infrastructure activities, regardless of their nature, scale or extent, within the coastal environment. Furthermore, such controls are not imposed on other activities within the District.	Disallow
Royal Forest and Bird Protection Society	345.57	Energy Infrastructure and Transport / Infrastructure Ecosystems and Biodiversity / General INF-ECO	Amend the chapter to mirror ECO – Ecosystems and Indigenous Biodiversity chapter to apply a similar level of protection.	Oppose	WIAL opposes the relief sought by the submitter as it is appropriate for a different planning framework to apply for regionally significant infrastructure in recognition of the social, cultural and economic benefits it provides for the community and the operational and locational constraints of that infrastructure.	Disallow
Royal Forest and Bird Protection Society	345.78 to 80	Energy Infrastructure and Transport / Infrastructure Natural Features and Landscapes / General INF-NFL	<p>Amend the chapter to mirror the Natural Features and Landscapes, and be as protective as that chapter.</p> <p>Amend INF-NFL-Introduction to acknowledge the potential adverse effects of infrastructure on indigenous biodiversity, landscape and natural character values, and make it clear that these are important values that may be adversely affected and require protection.</p>	Oppose	WIAL opposes the relief sought by the submitter as it is appropriate for a different planning framework to apply for regionally significant infrastructure in recognition of the social, cultural and economic benefits it provides for the community and the operational and locational constraints of that infrastructure.	Disallow

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
			Amend INF-NFL-R53-57 to give effect to policy changes requested in above submission points, mirror Natural Features and Landscapes rules, and be as protective as the amendments sought to the Natural Features and Landscapes chapter.			
Royal Forest and Bird Protection Society	345.81	Energy Infrastructure and Transport / Infrastructure Natural Features and Landscapes / New INF-NFL	<p>Seeks new policy to give effect to policy 11 of NZCPS.</p> <p>Add new policy INF-NFL-PX (All infrastructure activities in ridgelines and hilltops, special amenity landscapes, outstanding natural features and landscapes):</p> <p><u>Only allow activities within a significant natural area in the coastal environment where it can be demonstrated that they:</u></p> <ol style="list-style-type: none"> <li>1. <u>Avoid adverse effects on the matters in Policy 11(a) of the New Zealand Coastal Policy Statement 2010;</u></li> <li>2. <u>Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on the matters in Policy 11(b) of the New Zealand Coastal Policy Statement 2010; and</u></li> <li>3. <u>Protect other indigenous biodiversity values in accordance with ECO-P1.</u></li> </ol>	Oppose	<p>WIAL opposes the relief sought by the submitter as it is appropriate for a different planning framework to apply for regionally significant infrastructure in recognition of the social, cultural and economic benefits it provides for the community and the operational and locational constraints of that infrastructure.</p> <p>Furthermore, the INF-CE subchapter deals with matters in the Coastal Environment. It is inappropriate to duplicate/replicate controls in multiple chapters of the Proposed Plan.</p>	Disallow
CentrePort Limited	402.71-72	Energy Infrastructure and Transport / Infrastructure Natural Hazards / General INF-NH	Seeks that Infrastructure Natural Hazards provisions are located within the Natural Hazards Chapter.	Support	WIAL shares the concerns of CentrePort Limited, that there is a lot of duplication in the Proposed Plan, particularly as it relates to the natural hazard provisions that apply to (regionally significant) infrastructure.	Allow
<b>Hazards and Risks – Natural Hazards</b>						
Ministry of Education	400.46	Hazards and Risks / Natural Hazards / NH-P1	<p>Amend NH-P1 (Identification of natural hazards) as follows:</p> <p>Identify natural hazards within the District Plan and take a risk-based approach to the management of subdivision, use and development based on:</p> <ol style="list-style-type: none"> <li>1. The sensitivity of the activities to the impacts of natural hazards; and</li> <li>2. The hazard posed to people’s lives and wellbeing, property and infrastructure, by considering the likelihood and consequences of natural hazard events.; and</li> <li>3. <u>The operational need for some activities to locate in natural hazard areas.</u></li> </ol>	Support in part	WIAL supports the intent of this relief to the extent that it is consistent with the outcomes sought from its primary submission.	Allow in part

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
CentrePort Limited	402.101	Hazards and Risks / Natural Hazards / NH-P2	Amend NH-P2 (Levels of risk) as follows: ... 3. Avoiding buildings and activities in the high hazard areas of the Natural Hazard Overlays unless there <u>is an there is a functional need or operational requirement or other</u> exceptional reason for the building or activity to be located in this area, and the activity mitigates the impacts from natural hazards to people, property and infrastructure.	Support in part	WIAL supports the intent of this relief to the extent that it is consistent with the outcomes sought from its primary submission.	Allow in part

#### Natural and Environmental Values – Public Access

Meridian Energy Limited	228.93	Natural and Environmental Values / Public Access / PA-O	Amend Objective PA-O2 (Adverse effects of public access) to protect the security of regionally significant infrastructure as follows (or similar):  Public access does not have a negative impact on existing values such as natural character, indigenous biodiversity, landscape values, historic heritage, sites of significance to Māori, <u>the security of regionally significant infrastructure</u> or the coastal environment.	Support	WIAL supports this policy and agrees that it is important that public access is not provided to the detriment of the safety and security of regionally significant infrastructure. Similarly, public access should not give rise to adverse effects on public health and safety as a result of its proximity to regionally significant infrastructure.	Allow
Greater Wellington Regional Council	351.176	Natural and Environmental Values / Public Access / PA-P3	Amend PA-P3 (Restriction of public access) as follows: Only allow for the restriction of public access to, along or adjacent to the coast and waterbodies where the restriction is necessary to:  ... 10. Address other exceptional circumstances sufficient to justify the restriction; or 11. <u>Provide for the safe and efficient operation of the Port and Airport Zone.</u>	Support in part	WIAL supports the inclusion of subparagraph 11, however notes that Airport infrastructure can also be located outside of the Airport Zone (and possibly the same could be said for Port infrastructure).	Allow in part

#### Coastal Environment



Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
Royal Forest and Bird Protection Society	345.290-303, 345.307-309, 345.313-.328, 345.338-.358	General District wide Matters / Coastal Environment / Various	Amend all rules to refer to all areas of "natural character", not only areas of "high natural character".	Oppose	WIAL opposes all of the identified submissions made on the Coastal Environment chapter to the extent that they are inconsistent with the concerns raised by WIAL with respect to this chapter. Notably:  1. The Coastal Environment has been broadly mapped, with its corresponding policy directives applying to large urban areas of the District which are highly modified;  2. The chapter, as notified, duplicates controls found within other chapters of the Proposed Plan. This chapter should only focus on those provisions that cannot otherwise be addressed by the underlying zone provisions; and,  3. The chapter does not adequately give effect to all relevant parts of the NZCPS, including those that recognise and provide for the functional and operational needs of infrastructure;	Disallow
Yvonne Weeber	340.26	General District wide Matters / Coastal Environment / CE-P2	Amend CE-P2 (Use and development within the coastal environment) as follows:  Provide for use and development in the landward extent of the coastal environment where it:  1. Consolidates existing urban areas; and  2. Does not establish new urban sprawl along the coastline.  3. <u>Takes into consideration the level of uncertainty about the full extent of the impacts of climate change (storm surges and costal inundation) and sea level rise.</u>	Oppose	Such matters are dealt with via the relevant natural hazard provisions of the Proposed Plan.	Disallow
WCC Environmental Reference Group	377.231	General District wide Matters / Coastal Environment / CE-P2	Amend CE-P2 (Use and development within the coastal environment) to add a third point, as follows:  <u>3. Does not adversely affect the environmental values of the coastal environment</u>	Oppose	The term "environmental values" is too broad and encapsulates both natural and physical resources. The intent of the changes are therefore not clear.  Furthermore, it is inappropriate to require land use and development to avoid adversely effecting all effects, irrespective of their nature, scale or extent.	Disallow
WCC Environmental Reference Group	377.234	General District wide Matters / Coastal Environment / CE-P5	Amend CE-P5 (Use and development in high coastal natural character areas) to add another point after Point 1, as follows:  ...  <u>2. Any adverse effects on indigenous biodiversity are applied in accordance with ECO-P2.</u>	Oppose	It is inappropriate to require land use and development to avoid adversely effecting all effects, irrespective of their nature, scale or extent.	Disallow

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
VicLabour	414.24	General District wide Matters / Coastal Environment / CE-R23	[Inferred decision requested] Seeks that a prohibited activity status is applied to Rule CE-R23 (Potentially hazard sensitive activities in the medium coastal hazard area, excluding the City Centre Zone or Airport, operation port activities, passenger port facilities and rail activities)	Oppose	WIAL opposes this submission to the extent that it is inconsistent with the primary submission made by WIAL on this matter.	Disallow
VicLabour	414.26	General District wide Matters / Coastal Environment / CE-R26	[Inferred decision requested] Seeks that a prohibited activity status is applied to Rule CE-R26 (Hazard sensitive activities within the medium coastal hazard area, excluding the City Centre Zone or Airport, operation port activities, passenger port facilities and rail activities)	Oppose		Disallow
<b>Earthworks</b>						
Royal Forest and Bird Protection Society	345.362	General District Wide Matters / Earthworks / New EW	Add new rule EW-R7 (Earthworks within a significant natural area): 3. Activity status: Non-complying Where: a. The Significant Natural Area includes matters identified in policy 11 of the NZ Coastal Policy statement Section 88 requirements: 1. Identifying the indigenous biodiversity values and potential impacts from the proposal; and 2. Demonstrating that ECO P5 has first been met, and the effects management hierarchy at ECO-P21 has been applied to other adverse effects.	Oppose	It is inappropriate to include a new rule in the Proposed Plan to this effect. Earthworks within SNAs is already provided for by EW-R7 (1) and (2) and within the Coastal Environment through EW-R10 and EW-R11. Introducing further rules is inefficient and add to further repetition, duplication and complexity within the Proposed Plan.	Disallow
Royal Forest and Bird Protection Society	345.369	General District wide Matters / Earthworks / EW-R11	Amend EW-R11 (Earthworks within coastal or riparian margins within the coastal environment) to give effect to the NZ Coastal Policy Statement.	Oppose	WIAL opposes this submission as no detail is provided regarding the amendments proposed, therefore it is difficult to determine the appropriateness or otherwise of the amendments in terms of section 32 of the RMA. It is also difficult to ascertain which parts of the NZCPS this submission is referring to.	Disallow
<b>Light</b>						
Director-General of Conservation	385.76	General District wide Matters / Light / New LIGHT	Add an additional rule similar to LIGHT-R2 as a Restricted Discretionary activity for outdoor artificial lighting adjacent to or within a SNA.	Oppose	WIAL remains neutral with respect to this proposed new rule, however notes that the amendments it seeks to this rule (refer to WIAL's primary submission) would need to be carried through to any new provisions relating to SNA's, given the proximity of two nearby SNAs to Wellington International Airport.	Disallow
<b>Noise</b>						

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
Yvonne Weeber	340.74	General District wide Matters / Noise / General NOISE	Amend the Introduction to the 'Noise' chapter as follows: ...	Oppose	WIAL is not opposed to the introduction of this text in principle, however does not support the drafting as set out in this submission.	Disallow in part
Guardians of the Bays	452.30		Some activities that generate noise are exempt from the noise rules set out in this chapter. This is because they are not controlled by the RMA, e.g. vehicles being driven on a road, or aircraft above 1,000 feet in flight over built up areas. In addition, the Civil Aviation Act 1990 imposes certain rules requiring noise abatement procedures for aircraft operating in the vicinity of Wellington International Airport. <u>The air noise boundary overlays (inner and outer) place development restrictions on properties affected by Wellington International Airport. ...</u>			
Yvonne Weeber	340.75	General District wide Matters / Noise / General NOISE	Amend the Introduction to the 'Noise' chapter to include a reference to the <u>2018 World Health Organisation Environmental Noise Guidelines for the European Region.</u>	Oppose	WIAL opposes this amendment to extent that it is not clear of the nature or scale of changes proposed to be introduced by the submitters by including this reference with the Noise chapter of the Proposed Plan.	Disallow
Guardians of the Bays	452.30					
Strathmore Park Residents Association Inc	371.1	General District wide Matters / Noise / General NOISE	Seeks the addition of rule(s) to require the Quieter Homes ventilation and/or insulation are for existing homes within the 60dB Outer Air Noise Overlay. And impose a time limit to provide the Quieter Homes package in a more timely manner once they are formally identified to be within the 60dB Outer Noise Overlay.	Oppose	As set out in WIAL's primary submission, it is inappropriate for the Noise chapter to duplicate aircraft noise management and mitigation measures imposed on WIAL through the recently settled Main Site and East Side Area Designations.  Furthermore, the Main Site and East Side Area Designations are not subject to amendment as part of the Proposed Plan review.	Disallow
Kāinga Ora Homes and Communities	391.284	General District wide Matters / Noise / General NOISE	Opposes all Rules in the Noise chapter and seeks amendments.	Oppose	WIAL opposes the submission to the extent that it would provide for a more flexible land use management framework than WIAL has sought in its primary submission for noise sensitive activities to establish within the Air Noise Boundary and 60dB Ldn Noise Boundary at Wellington International Airport.	Disallow
Bruce Crothers	319.15	General District wide Matters / Noise / General NOISE	Seeks stronger noise restrictions for aircrafts, including limits on the number of flights Allow.	Oppose	As set out in WIAL's primary submission, it is inappropriate for the Noise chapter to duplicate aircraft noise management and mitigation measures imposed on WIAL through the recently settled Main Site and East Side Area Designations.  Furthermore, the Main Site and East Side Area Designations are not subject to amendment as part of the Proposed Plan review.	Disallow
Guardians of the Bays	452.31	General District wide Matters / Noise / New NOISE	Add new category of activity in NOISE-R4 as follows: <u>Activity Status: Prohibited activity</u> <u>Where no activity for the landing and take off of helicopter will be granted within the East Side Area designation.</u>	Oppose	As set out in WIAL's primary submission, it is inappropriate for the Noise chapter to duplicate aircraft noise management and mitigation measures imposed on WIAL through the recently settled Main Site and East Side Area Designations.	Disallow

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
					Furthermore, the Main Site and East Side Area Designations are not subject to amendment as part of the Proposed Plan review.	
Yvonne Weeber	340.77	General District wide Matters / Noise / NOISE-O2	Considers that authorised activities that generate high levels of noise should be constantly reducing their noise levels through different technology and management therefore, reducing the need to be 'protected from reverse sensitivity effects'.	Oppose	Reverse sensitivity is a significant issue for WIAL. While WIAL continues to explore opportunities to reduce the noise generated from its activities at Wellington International Airport, this is separate management function to that of requiring adjacent land use activities establishing that give rise to reverse sensitivity effects.	Disallow
Guardians of the Bays	452.33					
Yvonne Weeber	340.81	General District wide Matters / Noise / NOISE-P4	Amend NOISE-P4 (Acoustic treatment for noise sensitive activities) as follows:  Require sound insulation and / or mechanical ventilation for new noise sensitive activities within: ...  6. The Air Noise Overlay ( <u>Inner Air Noise Overlay and Outer Air Noise Overlay</u> ); and  7. Identified corridors adjacent to the State Highways and railway networks. ...	Support in part	WIAL supports this submission in principle, however notes that WIAL is proposing to replace the reference to overlays with the commonly used and understood terms "Air Noise Boundary" and "60dB Ldn Noise Boundary".	Allow in part
Strathmore Park Residents Association Inc	371.2					
Guardians of the Bays	452.37					
Kāinga Ora Homes and Communities	391.295	General District wide Matters / Noise / NOISE-P4	Amend NOISE-P4 (Acoustic treatment for noise sensitive activities) as follows:  Require <u>Encourage and promote</u> sound insulation and / or mechanical ventilation for new noise sensitive activities within:  1. The City Centre Zone; 2. The Waterfront Zone; 3. The Centres Zones; 4. The Mixed Use Zones; 5. Outer Port Noise Overlay; 6. The Air Noise Overlay; and 7. Identified corridors adjacent to the State Highways and railway networks.  Two standards of acoustic insulation are prescribed to achieve acceptable indoor acoustic amenity in habitable rooms.	Oppose	WIAL has a submission filed that seeks to introduce new policies with respect to the management of noise sensitive activities within the Air Noise Boundary and 60dB Ldn Noise Boundary at Wellington International Airport. However, in the instance that this submission is not successful, WIAL submits that it is inappropriate for acoustic treatment to be "encouraged", rather it should be a mandatory requirement where new activities are located within the Air Noise Boundary and 60dB Ldn Noise Boundary at Wellington International Airport.	Disallow
Ministry of Education	400.81	General District wide Matters / Noise / NOISE-P4	Amend NOISE-P4 (Acoustic treatment for noise sensitive activities) as follows:  Require sound insulation and / or mechanical ventilation for new noise sensitive activities ( <u>excluding educational facilities</u> ) within:  ...	Oppose	Education facilities comprise a noise sensitive activity as they include areas that comprise critical listening environments. It is therefore inappropriate to provide a flexible framework for such activities where located within the Air Noise Boundary of 60dB Ldn at Wellington International Airport.	Disallow

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
Ministry of Education	400.82	General District wide Matters / Noise / NOISE-P6	Amend NOISE-P6 (Development restrictions on noise sensitive activities) as follows:  Restrict the development of noise sensitive activities <u>(excluding educational facilities)</u> within:  1. The Inner Air Noise Overlay; and  2. Other locations where ventilation and acoustic insulation standards are not met.	Oppose	Education facilities comprise a noise sensitive activity as they include areas that comprise critical listening environments. It is therefore inappropriate to provide a flexible framework for such activities where located within the Air Noise Boundary of 60dB Ldn at Wellington International Airport.	Disallow
Retirement Village Association	350.78	General District wide Matters / Noise / NOISE-R3	Amend NOISE-R4 (Acoustic insulation - high noise areas) to integrate consideration of individual site characteristics/circumstances, and the distance of noise sensitive activities from high noise areas.	Oppose	WIAL has sought, via its primary submission, the inclusion of new rules within the Air Noise Boundary and 60dB Ldn Noise Boundary at Wellington International Airport. This includes acoustic insulation requirements that reflects the nature of the noise received within these aircraft noise boundaries.	Disallow
Yvonne Weeber	340.86	General District wide Matters / Noise / NOISE-R4	Amend NOISE-R4 to add a 'Non-compliant' activity status for the landing and take off of helicopters within the East Side Area designation.	Oppose	As set out in WIAL's primary submission, it is inappropriate for the Noise chapter to duplicate or introduce aircraft noise management and mitigation measures imposed on WIAL through the recently settled Main Site and East Side Area Designations.  Furthermore, the Main Site and East Side Area Designations are not subject to amendment as part of the Proposed Plan review.	Disallow
Yvonne Weeber	340.91	General District wide Matters / Noise / NOISE-S3	Amend NOISE-S3 (Noise management plans) as follows:  Airport Activities	Oppose	As set out in WIAL's primary submission, it is inappropriate for the Noise chapter to duplicate or introduce aircraft noise management and mitigation measures imposed on WIAL through the recently settled Main Site and East Side Area Designations.  Furthermore, the Main Site and East Side Area Designations are not subject to amendment as part of the Proposed Plan review.	Disallow
Guardians of the Bays	452.46		1. The Airport must at all times maintain and implement an Airport Noise Management Plan (ANMP). Any alteration or update to the ANMP is subject to certification by the Council.  2. The ANMP must include, as a minimum: ...  g. Methods necessary for the Airport to complete implementation of the Quieter Homes Programme <u>within an identified timeframe once the properties within the 60db contour have been identified;</u>			
Strathmore Park Residents Association Inc	371.4	General District wide Matters / Noise / NOISE-S4	Seeks that NOISE-S4 (Acoustic insulation - moderate noise areas) is amended to change the means to establish the 60dB Outer Air Noise Overlay area to use actual 90 day rolling average noise as measured at the defined 65dB ANB.	Oppose	WIAL has sought the inclusion of a new standard that applies to the acoustic treatment of buildings containing noise sensitive activities within the aircraft noise boundaries at Wellington International Airport.	Disallow
Kāinga Ora Homes and Communities	391.299	General District wide Matters / Noise / NOISE-S4	Amend NOISE-S4 (Acoustic insulation – high noise areas) so that any mitigation measures and/or Quieter Homes Programme applies to properties under both the inner and outer air noise overlay, and clarify the Standard after	Oppose	WIAL has sought the inclusion of a new standard that applies to the acoustic treatment (including ventilation) of buildings containing noise sensitive activities within	Disallow

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
			having reviewed the different insulation requirements for the inner and outer air noise overlay between the Plan and the Quieter Homes Programme.		the aircraft noise boundaries at Wellington International Airport.  As set out in WIAL's primary submission, it is inappropriate for the Noise chapter to duplicate or introduce aircraft noise management and mitigation measures imposed on WIAL through the recently settled Main Site and East Side Area Designations.  Furthermore, the Main Site and East Side Area Designations are not subject to amendment as part of the Proposed Plan review.	
Strathmore Park Residents Association Inc	371.5	General District wide Matters / Noise / NOISE-S5	Seeks that NOISE-S5 (Acoustic insulation - moderate noise areas) is amended to change the means to establish the 60dB Outer Air Noise Overlay area to use actual 90day rolling average noise as measured at the defined 65dB ANB.	Oppose	WIAL has sought the inclusion of a new standard that applies to the acoustic treatment of buildings containing noise sensitive activities within the aircraft noise boundaries at Wellington International Airport.	Disallow
Kāinga Ora Homes and Communities	391.301	General District wide Matters / Noise / NOISE-S5	Amend NOISE-S5 (Acoustic insulation – moderate noise areas) so that any mitigation measures and/or Quieter Homes Programme applies to properties under both the inner and outer air noise overlay, and clarify the Standard after having reviewed the different insulation requirements for the inner and outer air noise overlay between the Plan and the Quieter Homes Programme.	Oppose	WIAL has sought the inclusion of a new standard that applies to the acoustic treatment (including ventilation) of buildings containing noise sensitive activities within the aircraft noise boundaries at Wellington International Airport.  As set out in WIAL's primary submission, it is inappropriate for the Noise chapter to duplicate or introduce aircraft noise management and mitigation measures imposed on WIAL through the recently settled Main Site and East Side Area Designations.  Furthermore, the Main Site and East Side Area Designations are not subject to amendment as part of the Proposed Plan review.	Disallow
Strathmore Park Residents Association Inc	371.6	General District wide Matters / Noise / NOISE-S6	Seeks that NOISE-S6 (Acoustic insulation - moderate noise areas) is amended to change the means to establish the 60dB Outer Air Noise Overlay area to use actual 90day rolling average noise as measured at the defined 65dB ANB.	Oppose	WIAL has sought the inclusion of a new standard that applies to the acoustic treatment of buildings containing noise sensitive activities within the aircraft noise boundaries at Wellington International Airport.	Disallow
KiwiRail Holdings Limited	408.113	General District wide Matters / Noise / NOISE-S6	Amend NOISE-S6 (Ventilation requirements) as follows:  1. The minimum external to internal noise reduction levels in NOISE-S4 and NOISE-S5 must be achieved at the same time as the <u>following</u> ventilation requirements. of the New Zealand Building Code. An alternative means of ventilation must be provided unless compliance with the above acoustic insulation standards can be met with ventilating windows open.  2. <u>If windows must be closed to achieve minimum external to internal noise reduction levels in NOISE-S4 and NOISE-S5, the building is designed, constructed</u>	Support	WIAL has sought the inclusion of a new standard that applies to the acoustic treatment (including ventilation) of buildings containing noise sensitive activities within the aircraft noise boundaries at Wellington International Airport.  WIAL therefore supports this relief to the extent that it no longer applies within the aircraft noise boundaries for Wellington International Airport.	Allow

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
			<p>and maintained with a mechanical ventilation system that</p> <p>a. <u>For habitable rooms for a residential activity, achieves the following requirements:</u></p> <p>i. <u>provides mechanical ventilation to satisfy clause G4 of the New Zealand Building Code; and</u></p> <p>ii. <u>is adjustable by the occupant to control the ventilation rate in increments up to a high air flow setting that provides at least 6 air changes per hour; and</u></p> <p>iii. <u>provides relief for equivalent volumes of spill air;</u></p> <p>iv. <u>provides cooling and heating that is controllable by the occupant and can maintain the inside temperature between 18°C and 25°C; and</u></p> <p>v. <u>does not generate more than 35 dB LAeq(30s) when measured 1 metre away from any grille or diffuser.</u></p> <p>b. <u>For other spaces, is as determined by a suitably qualified and experienced person.</u></p> <p>3. Where bedrooms rely on openable windows to meet the ventilation requirements of the New Zealand Building Code, and where these windows must remain closed to achieve compliance with NOISE-S4 and NOISE-S5 acoustic insulation standards, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a bedroom is any room intended to be used for sleeping. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person; and</p> <p>4. Confirmation of compliance with this standard will be required by a qualified professional.</p>			
Kāinga Ora Homes and Communities	391.303	General District wide Matters / Noise / NOISE-S13	Amend NOISE-S13 (Airport East Side Precinct residential noise mitigation) so that the dwellings identified in Attachment 2 of designation WIAL5 which are eligible for mechanical ventilation prior to construction activity in the East Precinct are also provided with acoustic insulation in accordance with the standards identified in NOISE-S4.	Oppose	<p>As set out in WIAL’s primary submission, it is inappropriate for the Noise chapter to duplicate or introduce aircraft noise management and mitigation measures imposed on WIAL through the recently settled Main Site and East Side Area Designations.</p> <p>Furthermore, the Main Site and East Side Area Designations are not subject to amendment as part of the Proposed Plan review.</p>	Disallow
<b>Signs</b>						

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
Josephine Brien / Tim Bollinger	349.37	General District wide Matters / Signs / SIGN-P2	Retain SIGN-P2 (Digital and illuminated signs) as notified.	Oppose	WIAL opposes the relief sought as it is inconsistent with WIAL's primary submission.	Disallow
<b>Special Purpose Zones – Airport Zone</b>						
Yvonne Weeber	340.106 -.133	Special Purpose Zones / Airport Zone / General AIPRZ	1. Retain 'physically contiguous' airport precincts in the Airport Zone chapter.	Oppose	WIAL has proposed alternative drafting of the Airport Zone which tries to better align the outcomes sought via WIAL's existing Designations with the Airport Zone (as appropriate, noting not all of WIAL's landholdings are designated). Notwithstanding this,  1. WIAL supports the suggested incorporation of references to pedestrian access, cycling parking and land transport hubs into the description of the Terminal Precinct;  2. WIAL opposes the proposed new "Bridge Street Precinct" and considers it is appropriate to retain it as part of the wider airside / operational area of the airport and should not be unduly constrained by it been retained for "Open Space" activities, noting that only very low scale activity could occur in this area due to the obstacle limitation surface restrictions over this land.  3. Supports the intent to encourage carbon neutral development, however requiring it for all development is impracticable and does not appropriately reflect or take account of the technical or operational requirements of airports.  4. WIAL opposes the other matters raised to the extent that they conflict with the matters set out in WIAL's primary submission which proposes alternative drafting for the Airport Zone.	Disallow
Guardians of the Bays	453.62-92		2. Amend the "Terminal Precinct" section of the introduction of the Airport Zone chapter [to incorporate reference to pedestrians, cycling and land transport activities.  3. Retain part of the Miramar Golf Course in WIAL5.  4. Include a new "Bridge Street Precinct".	Oppose		Disallow
Strathmore Park Residents Association Inc	371.7	Special Purpose Zones / Airport Zone / General AIPRZ	Retain the overview of the East Side Precinct as in the introduction of the Airport Zone as notified.	Oppose	WIAL opposes this submission to the extent that WIAL has prepared a new Airport Zone chapter that seeks to create better alignment between the Airport Zone and designations, while also providing for activities that are not provided for by the designation or by WIAL as the requiring authority.	Disallow.
Waka Kotahi	370.429	Special Purpose Zones / Airport Zone / General AIPRZ	Airport activities should be explicit about the goal of providing integrated public transport to and from the airport.	Support in part	WIAL supports this submission in principle, however considers that the rules within the Airport Zone will need to provide for such an activity.	Allow in part
Strathmore Park Residents Association Inc	371.8	Special Purpose Zones / Airport Zone / General AIPRZ	Amend the Airport Noise description to include the Inner and Outer Noise Overlay	Oppose in part	WIAL opposes this submission to the extent that WIAL is proposing to replace these definitions in their entirety with the well established terms (and associated definitions) "Air Noise Boundary" and "60dB Ldn Noise Boundary".	Disallow in part



Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
Z Energy Limited	361.131	Special Purpose Zones / Airport Zone / New AIRPZ	Add a new Rule in the Airport Zone chapter as follows: <u>AIRPZ-R5 (Maintenance and repair of buildings and structures)</u> 1. <u>Activity Status: Permitted</u>	Support in part	WIAL supports the inclusion of this rule in principle and considers it provides certainty and clarity. WIAL prefers however, the alternate drafting WIAL proposed in its primary submission.	Allow in part
Z Energy Limited	361.132	Special Purpose Zones / Airport Zone / New AIRPZ	Add a new Rule in the Airport Zone chapter as follows: <u>AIRPZ-R6 (Demolition or removal of buildings or structures)</u> 1. <u>Activity Status: Permitted</u>	Support	WIAL supports the inclusion of this rule in principle and considers it provides certainty and clarity. WIAL prefers however, the alternate drafting WIAL proposed in its primary submission.	Allow
Z Energy Limited	361.133	Special Purpose Zones / Airport Zone / New AIRPZ	Add a new Rule in the Airport Zone chapter as follows: <u>AIRPZ-R7 (Additions or alterations to buildings and structures)</u> 1. <u>Activity status: Permitted</u> <u>Where: a. Compliance with AIRPZ-S1 and AIRPZ-S2 is achieved.</u> 2. <u>Activity Status: Restricted Discretionary</u> 3. <u>Where: a. Compliance with AIRPZ-S1 and AIRPZ-S2 cannot be achieved.</u> <u>Matters of discretion are:</u> <u>a. The extent and effect of non-compliance with any relevant standard as specified in the associated assessment criteria for the infringed standards; and</u> <u>b. Relevant matters listed in policy AIRPZ-P5.</u>	Support	WIAL supports in principle, the inclusion of this rule and considers it provides certainty and clarity, particularly as such rules are provided for in other chapters of the Proposed Plan.	Allow
Waka Kotahi	370.430-431	Special Purpose Zones / Airport Zone / AIRPZ-O2	Amend Objective AIRPZ-O2 (Development of the Airport Zone) as follows:  4. <u>The wide-ranging benefits of convenient connection of the airport to the city's public transport network</u>	Support	WIAL supports the inclusion of this subparagraph in principle.	Allow
<b>Designations</b>						
Bruce Crothers	319.17	Designations / Wellington International Airport Limited / General WIAL	Considers there should be stronger noise restrictions for aircraft, including limits on the number of flights Allow.		The Main Site and East Side Area Designations are not subject to amendment as part of the Proposed Plan review.	
Bruce Crothers	319.18	Designations / Wellington International Airport Limited / General WIAL	Seeks restrictions in aircraft flight hours.		This submission should therefore be struck out.	
Strathmore Park Residents Association Inc	371.10	Designations / Wellington International Airport	Amend WIAL Condition 5 (Airport Purposes Designation – East Side Area) to state car parking is temporary.		The Main Site and East Side Area Designations are not subject to amendment as part of the Proposed Plan review.	

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
		Limited / WIAL Conditions 5			This submission should therefore be struck out.	
<b>General Points – Other</b>						
Catharine Underwood	481.12	Other / Other / Other	Seeks that a no commercial plane/helicopter fly zone between Mt Kaukau and Te Ahumairangi and over the Zealandia valley.	Oppose	This matter goes beyond the scope of the District Plan controls.	Disallow
<b>Planning Maps</b>						
Prime Property Group	256.2	Mapping Rezone	Seeks to rezone the development area within S17-1095-PDP1 (14 Epic Way) from General Rural to Medium Density Residential	Oppose	WIAL opposes this submission to the extent that the rezoning could further exacerbate protrusions into the obstacle limitation surface due to the current 11m height limit specified in the Medium Density Residential Zone.	Disallow
Wellington City Council	266.34	Mapping General	Seeks to amend the WIAL 1 designation as displayed on the ePlan maps, inclusive of polygon boundaries, visual display elements, and any additional mapping elements required to improve useability.	Support	WIAL supports this submission and is currently working alongside WCC to ensure that WIAL1 is displayed in a user friendly manner for plan users.	Allow
Shelly Bay Road Ltd	324.1	Mapping General	Rezone 3 Shelly Bay from General Industrial Zone to Mixed Use Zone.	Oppose	WIAL opposes the proposed rezoning request as it will result in the intensification of noise sensitive activities within the “Inner Noise Overlay” (or Air Noise Boundary) at Wellington Airport, giving rise to potential reverse sensitivity effects on WIAL.	Disallow
Guardians of the Bays	452.1	Mapping General	Amend the planning maps to include a new Bridge Street Precinct for the area between existing boundary fence of the airport to the eastern side of the Bridge Street formed road.	Oppose	WIAL opposes this submission and considers it is appropriate for the Bridge Street area contained within the Airport Zone to remain as notified. Creating a new precinct is inefficient and unnecessary, noting that the obstacle limitation surface limits the development potential of this area in any case.	Disallow
Taranaki Whānui ki te Upoko o te Ika	389.12	Mapping General	Seeks that the zoning and extent of overlays proposed over Te Motu Kairangi / Miramar Peninsula, Mount Crawford is removed; specifically at Part Lot 1 DP 4741, Section 4 SO 477035, PT LOT 1 DP 4741 - WELLINGTON PRISON, Section 1 SO 477035, Part Section 20 Watts Peninsula DIST	Oppose in part	WIAL opposes this submission to the extent that the land already penetrates WIAL’s obstacle limitation surface (WIAL1 designation). Further investigations should be undertaken to confirm that the area is either afforded sufficient terrain shielding, or a 8m height restriction should be imposed on all buildings, objects and structures to ensure activities do not pose a potential risk to aircraft.	Disallow in part
	389.13	Mapping General	Opposes the zoning and extent of overlays proposed over Te Motu Kairangi / Miramar Peninsula, Mount Crawford. Seeks that the zoning and extent of overlays proposed over Te Motu Kairangi / Miramar Peninsula, Mount	Oppose in part		Disallow in part

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
			Crawford is removed; specifically at Part Lot 1 DP 4741, Section 4 SO 477035, PT LOT 1 DP 4741 - WELLINGTON PRISON, Section 1 SO 477035, Part Section 20 Watts Peninsula DIST			
	389.17	Mapping / Rezone	Seeks that the proposed zoning over Part Lot 1 DP 4741, Section 4 SO 477035, PT LOT 1 DP 4741 - WELLINGTON PRISON, Section 1 SO 477035, Part Section 20 Watts Peninsula DIST is amended from Natural Open Space Zone to Medium Density Residential with a 'Te Motu Kairangi Precinct' with associated objectives, policies, rules and standards to recognise the cultural and environmental overlays over the site whilst enabling Taranaki Whānui to exercise their customary responsibilities as kaitiaki, and to undertake development that supports their cultural, social and economic wellbeing.	Oppose in part		Disallow in part
	389.18	Mapping / Rezone	Seeks that the proposed zoning over Part Lot 1 DP 4741, Section 4 SO 477035, PT LOT 1 DP 4741 - WELLINGTON PRISON, Section 1 SO 477035, Part Section 20 Watts Peninsula DIST is amended from Natural Open Space Zone to Special Purpose Zone – Māori Purpose Zone that would include objectives, policies, rules and standards to recognise the cultural and environmental overlays over the site whilst enabling Taranaki Whānui to exercise their customary responsibilities as kaitiaki, and to undertake development that supports their cultural, social and economic wellbeing.	Oppose in part		Disallow in part
	389.19	Mapping / Rezone	Seeks that the proposed zoning over Part Lot 1 DP 4741, Section 4 SO 477035, PT LOT 1 DP 4741 - WELLINGTON PRISON, Section 1 SO 477035, Part Section 20 Watts Peninsula DIST is amended from Natural Open Space Zone to any other suitable zone that will enable Taranaki Whānui to exercise their customary responsibilities as kaitiaki, and to undertake development that supports their cultural, social, and economic wellbeing	Oppose in part		Disallow in part
	389.20	Mapping / Rezone	Seeks that in addition to any amendment from rezoning over Part Lot 1 DP 4741, Section 4 SO 477035, PT LOT 1 DP 4741 - WELLINGTON PRISON, Section 1 SO 477035, Part Section 20 Watts Peninsula DIST is amended from Natural Open Space Zone, that any other such amendments that are most appropriate to address this submission.	Oppose in part	(Same as above)	Disallow in part
The Fuel Companies	372.3	Mapping /Retain Zone	Retain the General Industrial Zone of the Miramar Terminal and adjoining sites as notified.	Support	WIAL supports the intent of these submissions.	Allow

Submitter	Submitter No.	Provision	Relief Sought by Submitter	WIAL Position	The reasons for my support / opposition	WIAL seeks that the whole (or part) of the submission be Allow / Disallow
			Considers that the key controls in relation to the use of the Miramar terminal and surrounding properties are appropriately provided for by the zoning of the site (General Industrial) and adjoining sites (General Industrial and Special Purpose Airport).			
	372.4	Mapping /Retain Zone	Retain the Special Purpose Airport Zone on adjoining sites to the Miramar Terminal as notified.	Support		Allow
Airways Corporation of NZ Limited	100.1	Mapping / All Overlays / Overlays General	Add a new 'Air Traffic Control' overlay with a 500m radius around the radar designation ACNZ3 (Radar & Communications site Hawkins Hill - Section 5 SO24952, Hawkins Hill, off Karepa Street, Brooklyn).	Support	WIAL supports the inclusion of overlays that ensure that Airways air traffic control overlays are protected and thus protect the safety of aircraft on approach to and departure from Wellington International Airport.	Disallow
	100.2	Mapping / All Overlays / Overlays General	Add a new 'Air Traffic Control Information Overlay' with a 500m radius around the radar designation ACNZ4 (Radar & Communications site Hawkins Hill - Section 1 & 2 SO31242, Section 4 on SO24952, Hawkins Hill, off Karepa Street, Brooklyn).	Support		Disallow

## Annexure D

### Names and Addresses for Service

BP Oil New Zealand, Mobil Oil New Zealand Limited and Z Energy Limited (the Fuel Companies)	Jarrold Dixon (4Sight Consulting)	jarrod.dixon@4sight.co.nz	4Sight Consulting Limited 201 Victoria Street West, Auckland 1010
CentrePort Limited	William Woods	william.woods@centreport.co.nz	CentrePort Limited, PO Box 794, Wellington 6140
Chorus New Zealand Limited	Andrew Kantor	andrew.kantor@chorus.co.nz	PO Box 6640, Auckland 1010
Chorus New Zealand Limited (Chorus), Spark New Zealand Trading Limited (Spark) and Vodafone New Zealand Limited (Vodafone)	Chris Horne (Beca Limited)	chris@incite.co.nz	Chorus New Zealand Limited, Spark New Zealand Trading Limited and Vodafone New Zealand Limited C/- Incite P O Box 3082, Auckland 1140
Churton Park Community Association	John Tiley	johntiley7@gmail.com	1 Jasons Place, Churton Park, Wellington 6037
Director-General of Conservation	Ashiley Sycamore	asycamore@doc.govt.nz	Private Bag 3072, Hamilton 3240
Envirowaste Services Ltd	Kaaren Rosser	kaaren.rosser@rosser-jones.com	PO Box 92810, Penrose, Auckland 1642
Firstgas Limited	Natalie Webb (Beca Limited)	Natalie.Webb@beca.com	Wood+Beca Limited P.O Box 264, Taranaki Mail Centre, New Plymouth 4340
Greater Wellington Regional Council	Mika Zollner	mika.zollner@gw.govt.nz	100 Cuba Street, Te Aro, Te Whanganui-a-Tara 6011
Guardians of the Bays	Yvonne Weeber	guardiansofthebays@gmail.com	143 Queens Drive, Lyall Bay, Wellington 6022
Heritage New Zealand Pouhere Taonga	Dean Raymond	draymond@heritage.org.nz	Heritage New Zealand Pouhere Taonga Takiwā o Te Pūtahi a Māui PO Box 2629, Wellington 6140
Historic Places Wellington	Felicity Wong	Wgtn@historicplacesaotearoa.org.nz	21 Hay Street, Oriental Bay, Wellington
Investore Property Limited	Amy Dresser/Bianca Tree (MinterEllisonRuddWatts)	<a href="mailto:amy.dresser@minterellison.co.nz">amy.dresser@minterellison.co.nz</a> <a href="mailto:bianca.tree@minterellison.co.nz">bianca.tree@minterellison.co.nz</a>	N/A
Kāinga Ora Homes and Communities	Gurv Singh	gurv.singh@kaingaora.govt.nz	PO BOX 2628, Wellington 6140
Kilmarston Developments Limited and Kilmarston Properties Limited	Milcah Xkenjik (Land Matters)	milcah@landmatters.nz	20 Addington Road, Otaki
KiwiRail Holdings Limited	Sheena McGuire	Sheena.McGuire@kiwirail.co.nz	Wellington Railway Station, Bunny Street, Wellington 6011 PO Box 593, Wellington 6140
LIVE WELLington	Jane O'Loughlin	jane.oloughlin@gmail.com	12 Albany Avenue, Mt Victoria 6011

Meridian Energy Limited	Christine Foster (CF Consulting Services Limited)	christine@cfconsulting.co.nz andrew.guerin@meridianenergy.co.nz	21 Ashton Fitchett Drive, Brooklyn, Wellington 6021
Ministry of Education	Zach Chisam (Beca Limited)	zach.chisam@beca.com	Beca Ltd, PO Box 3942, Wellington 6140
New Zealand Defence Force	Rebecca Davies	Rebecca.davies@nzdf.mil.nz	C/- Tonkin + Taylor PO Box 13055, Christchurch
Paul Gregory Rutherford	N/A	prutherford.nz@gmail.com	4A Wilkinson Street, Wellington 6011
Paul M Blaschke	N/A	paul@blaschkerutherford.co.nz	34 Pearce Street, Vogeltown
Powerco Limited	Gary Scholfield	planning@powerco.co.nz	Powerco Limited PO Box 13 075, Tauranga 3141 Attention: Gary Scholfield
Precinct Properties New Zealand Limited	Joe Jeffries (Barker & Associates Ltd)	joej@barker.co.nz	Precinct Properties New Zealand Limited c/- Barker & Associates Ltd, Attention: Joe Jeffries Level 3, Suite 3 Brandon House, 149 Featherston Street, Wellington 6011
Prime Property Group	Cameron de Leijer (Spencer Holmes)	cpd@spencerholmes.co.nz	57 Willis Street, Te Aro 6011
Retirement Villages Association of New Zealand Incorporated	Luke Hinchey and Marika Williams (Chapman Tripp) Hannah Okane (Mitchell Daysh)	luke.hinchey@chapmantripp.com marika.williams@chapmantripp.com Hannah.okane@mitchelldaysh.co.nz	c/o Chapman Tripp Level 34 PwC Tower, PO Box 2206, Auckland CBD
Royal Forest and Bird Protection Society	Amelia Geary	a.geary@forestandbird.org.nz	205 Victoria Street, Wellington 6011
Ryman Healthcare Limited	Luke Hinchey and Marika Williams (Chapman Tripp) Hannah Okane (Mitchell Daysh)	luke.hinchey@chapmantripp.com marika.williams@chapmantripp.com Hannah.okane@mitchelldaysh.co.nz	c/o Chapman Tripp, Level 34, PwC Tower PO Box 2206, Auckland CBD
Strathmore Park Residents Association Inc	Glenn Kingston	gkingston@xtra.co.nz	53 Tannadyce Street, Strathmore Park, Wellington 6022
Stride Investment Management Limited	Bianca Tree / Amy Dresser (MinterEllisonRuddWatts)	bianca.tree@minterellison.co.nz amy.dresser@minterellison.co.nz	PO Box 105249, Auckland 1143
Te Rūnanga o Toa Rangatira	Onur Oktem	onur.oktem@ngatittoa.iwi.nz	Te Rūnanga o Toa Rangatira, Level 2, 1 Cobham Court, Porirua 5022
Transpower New Zealand Limited	Dan Hamilton	environment.policy@transpower.co.nz	Transpower New Zealand Limited Environmental Policy and Planning Group PO Box 1021, Wellington
Waka Kotahi	Mike Scott	mike.scott@nzta.govt.nz	Majestic Centre, Level 7, 100 Willis Street PO Box 5084, Wellington 6140, New Zealand

Wakefield Property Holdings Ltd	Sophie Glendinning (Orogen Limited)	sophie.glendinning@orogen.nz	PO Box 56051, Tawa
WCC Environmental Reference Group	Shannon Wallace Michelle Rush Leteicha Lowry	wallace.shannon.r@gmail.com m_rush.m@xtra.co.nz Leteicha.Lowry@wcc.govt.nz	N/A
Wellington City Council	Barbara McKerrow, Chief Executive	district.plan@wcc.govt.nz	Wellington City Council, PO Box 2199, Wellington 6140
Wellington Electricity Lines Limited	Tim Lester	tim.lester@edison.co.nz	Wellington Electricity Lines Limited c/- Edison Consulting Group Ltd PO Box 875, Hamilton 3240
Wellington Heritage Professionals	Amanda Mulligan	amanda_mulligan@yahoo.com.au	7 Waitoa Road, Hataitai, Wellington 6021
Willis Bond and Company Limited	Jimmy Tait Jamieson	jimmy@willisbond.co.nz	Free Ambulance Building Level 2, 5 Cable Street, Wellington
Yvonne Weeber	N/A	weebery@gmail.com	143 Queens Drive, Lyall Bay, Wellington 6022
Z Energy Limited	Jarrold Dixon (4Sight Consulting)	jarrod.dixon@4sight.co.nz	PO Box 2091, Wellington 6140
Board of Airline Representatives of New Zealand Inc (BARNZ)	G K Chappell	gillian@chappell.nz	Gill Chappell Barrister, C/- BARNZ P O Box 2779 Auckland 1140
Roland Sapsford		roland@atrix.gen.nz	23 Epuni Street, Aro Valley, Wellington 6021
Onslow Historical Society	Lawrence Collingbourne	onslowcommunityassn@gmail.com	54 Waru Street, Khandallah, Wellington